

1 AN ACT concerning the legislature.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Administrative Procedure Act is
5 amended by changing Section 1-20 as follows:

6 (5 ILCS 100/1-20) (from Ch. 127, par. 1001-20)

7 Sec. 1-20. "Agency" means each officer, board,
8 commission, and agency created by the Constitution, whether
9 in the executive, legislative, or judicial branch of State
10 government, but other than the circuit court; each officer,
11 department, board, commission, agency, institution,
12 authority, university, and body politic and corporate of the
13 State; each administrative unit or corporate outgrowth of the
14 State government that is created by or pursuant to statute,
15 other than units of local government and their officers,
16 school districts, and boards of election commissioners; and
17 each administrative unit or corporate outgrowth of the above
18 and as may be created by executive order of the Governor.
19 "Agency", however, does not include the following:

20 (1) The House of Representatives and Senate and
21 their respective standing and service committees,
22 including without limitation the Board of the Office of
23 the Architect of the Capitol and the Architect of the
24 Capitol established under the Legislative Commission
25 Reorganization Act of 1984.

26 (2) The Governor.

27 (3) The justices and judges of the Supreme and
28 Appellate Courts.

29 (Source: P.A. 87-823.)

30 Section 10. The Civil Administrative Code of Illinois is

1 amended by changing Section 5-630 as follows:

2 (20 ILCS 5/5-630) (was 20 ILCS 5/17)

3 Sec. 5-630. Department offices. Each department shall
4 maintain a central office in the ~~Capitol Building, Centennial~~
5 ~~Building, or State Office Building~~ at Springfield, in space
6 ~~rooms~~ provided by the Secretary of State, ~~or in the Armory~~
7 ~~Building at Springfield, in rooms provided by~~ the Department
8 of Central Management Services, or the Architect of the
9 Capitol, excepting the Department of Agriculture, which shall
10 maintain a central office at the State fair grounds at
11 Springfield, and the Department of Transportation, which
12 shall also maintain a Division of Aeronautics at Capital
13 Airport. The director of each department (see Section 5-10 of
14 this Law for the definition of "director") may, in the
15 director's discretion and with the approval of the Governor,
16 establish and maintain, at places other than the seat of
17 government, branch offices for the conduct of any one or more
18 functions of the director's department.

19 (Source: P.A. 91-239, eff. 1-1-00.)

20 Section 13. The Governor's Office of Management and
21 Budget Act is amended by changing Section 5.1 as follows:

22 (20 ILCS 3005/5.1) (from Ch. 127, par. 415)

23 Sec. 5.1. Under such regulations as the Governor may
24 prescribe, every State agency, other than State colleges and
25 universities, agencies of legislative and judicial branches
26 of State government, and elected State executive officers not
27 including the Governor, shall file with the Legislative
28 Research Unit ~~Illinois Commission on Intergovernmental~~
29 ~~Cooperation~~ all applications for federal grants, contracts
30 and agreements. The Legislative Research Unit ~~Commission on~~
31 ~~Intergovernmental Cooperation~~ shall immediately forward all

1 such materials to the Office for the Office's approval. Any
2 application for federal funds which has not received Office
3 approval shall be considered void and any funds received as a
4 result of such application shall be returned to the federal
5 government before they are spent. Each State agency subject
6 to this Section shall, at least 45 days before submitting its
7 application to the federal agency, report in detail to the
8 Legislative Research Unit ~~Commission--on--Intergovernmental~~
9 ~~Cooperation~~ what the grant is intended to accomplish and the
10 specific plans for spending the federal dollars received
11 pursuant to the grant. The Legislative Research Unit
12 ~~Commission-on-Intergovernmental-Cooperation~~ shall immediately
13 forward such materials to the Office. The Office may approve
14 the submission of an application to the federal agency in
15 less than 45 days after its receipt by the Office when the
16 Office determines that the circumstances require an expedited
17 application. Such reports of applications and plans of
18 expenditure shall include but shall not be limited to:

19 (1) an estimate of both the direct and indirect costs in
20 non-federal revenues of participation in the federal program;

21 (2) the probable length of duration of the program, a
22 schedule of fund receipts and an estimate of the cost to the
23 State of maintaining the program if and when the federal
24 financial assistance or grant is terminated;

25 (3) a list of State or local agencies utilizing the
26 financial assistance as direct recipients or subgrantees;

27 (4) a description of each program proposed to be funded
28 by the financial assistance or grant; and

29 (5) a description of any financial, program or planning
30 commitment on the part of the State required by the federal
31 government as a requirement for receipt of the financial
32 assistance or grant.

33 All State agencies subject to this Section shall
34 immediately file with the Legislative Research Unit ~~Illinois~~

1 ~~Commission-on-Intergovernmental-Cooperation~~, any awards of
2 federal funds and any and all changes in the programs, in
3 awards, in program duration, in schedule of fund receipts,
4 and in estimated costs to the State of maintaining the
5 program if and when federal assistance is terminated, or in
6 direct and indirect costs, of any grant under which they are
7 or expect to be receiving federal funds. The Legislative
8 Research Unit ~~Commission--on--Intergovernmental-Cooperation~~
9 shall immediately forward such materials to the Office.

10 The Office in cooperation with the Legislative Research
11 Unit ~~Commission---on--Intergovernmental--Cooperation~~ shall
12 develop standard forms and a system of identifying numbers
13 for the applications and reports required by this Section.
14 Upon receipt from the State agencies of each application and
15 report, the Legislative Research Unit ~~Commission~~ shall
16 promptly designate the appropriate identifying number
17 therefor and communicate such number to the respective State
18 agency, the Comptroller and the Office.

19 Each State agency subject to this Section shall include
20 in each report to the Comptroller of the receipt of federal
21 funds the identifying number applicable to the grant under
22 which such funds are received.

23 (Source: P.A. 93-25, eff. 6-20-03.)

24 Section 15. The Illinois Construction Evaluation Act is
25 amended by changing Section 2 as follows:

26 (20 ILCS 3015/2) (from Ch. 127, par. 3202)

27 Sec. 2. (a) There is hereby created the Construction
28 Evaluation Council, hereinafter the "Council", which shall
29 consist of the Architect of the Capitol ~~the--Executive~~
30 ~~Director-of-the-Space-Needs-Commission~~, the Director of the
31 Governor's Office of Management and Budget ~~Bureau-of-the~~
32 ~~Budget~~, and the Director of ~~the--Department--of~~ Central

1 Management Services or their designees. The members of the
2 Council shall select from among themselves one person to act
3 as chairman for a term of 2 years.

4 (b) Members of the Council shall serve without pay, but
5 shall be reimbursed for necessary and reasonable costs
6 incurred in the performance of their duties.

7 (c) The Council shall meet at the call of the chairman.
8 (Source: P.A. 84-859; revised 8-23-03.)

9 Section 20. The Capital Development Board Act is amended
10 by changing Section 1.1 as follows:

11 (20 ILCS 3105/1.1) (from Ch. 127, par. 771.1)

12 Sec. 1.1. Nothing herein applies to the design,
13 planning, construction, reconstruction, improvement, and
14 installation of capital facilities within the State Capitol
15 Building and other areas of the legislative complex, as
16 defined in Section 8A-15 of the Legislative Commission
17 Reorganization Act of 1984, which functions shall be within
18 the exclusive jurisdiction of the Architect of the Capitol
19 Space--Needs--Commission--created--by--"The-Space-Needs-Act",
20 approved-September-8, 1967, as--now--and--hereafter--amended.

21 (Source: P.A. 79-835.)

22 Section 25. The Government Buildings Energy Cost
23 Reduction Act of 1991 is amended by changing Section 20 as
24 follows:

25 (20 ILCS 3953/20) (from Ch. 96 1/2, par. 9820)

26 Sec. 20. Powers and duties. The Interagency Energy
27 Conservation Committee shall have the authority:

28 (a) to prepare an annual assessment of opportunities for
29 energy cost reduction in State owned and leased buildings and
30 facilities designated by the committee. Each assessment

1 shall be completed by September 15 of each year, beginning in
2 1992, shall be available to the public and shall include:

3 (1) data on energy consumption and costs for each
4 State building and facility designated by the committee
5 for the preceding 5 years and anticipated energy
6 consumption and cost data projected for the next 3 years;

7 (2) energy conservation measures deployed in State
8 buildings and facilities designated by the committee
9 during the preceding year;

10 (3) evaluation studies of the cost reductions and
11 other benefits realized through the deployment of such
12 measures; and

13 (4) energy conservation opportunities (based on
14 audits, technical analyses or other methods of
15 determining such opportunities) and associated energy
16 saving operation and maintenance procedures and capital
17 projects for each State building or facility designated
18 by the committee.

19 (b) to conduct such surveys, audits, technical analyses
20 and other research or investigations as may be necessary to
21 support the preparation of the annual plan and the objectives
22 of this Act.

23 (c) to review all proposed capital projects and energy
24 cost operating budgets of State agencies designated by the
25 committee and recommend energy conservation measures which
26 would reduce operating costs in buildings or facilities
27 affected by such capital projects.

28 (d) to develop, after study of existing or emerging
29 energy conservation technologies, guidelines as may be
30 necessary or desirable to further the objectives of this Act
31 or to aid the work of the Committee.

32 (e) to provide, at the request of the Secretary of
33 State, the Architect of the Capitol, Legislative-Space-Needs
34 Commission or any other officer or entity of State

1 government, technical and consultative assistance concerning
2 energy cost management or conservation.

3 (f) to annually recommend to the Governor by November
4 15, beginning in 1992, specific operations and maintenance
5 procedure modifications and capital projects for State owned
6 and leased buildings and facilities designed to reduce energy
7 consumption and costs.

8 (g) to issue a report to the Governor and General
9 Assembly by March 31 of each odd-numbered year, beginning in
10 1993, describing the status of government building energy
11 cost reduction and management efforts in the State, listing
12 obstacles to building energy efficiency improvement together
13 with related recommendations for statutory change, and
14 identifying opportunities for public sector energy cost
15 reductions not addressed by this Act or the programs
16 developed pursuant hereto.

17 (Source: P.A. 87-852.)

18 Section 30. The Pension Impact Note Act is amended by
19 changing Section 2 as follows:

20 (25 ILCS 55/2) (from Ch. 63, par. 42.42)

21 Sec. 2. Pension impact notes. The Illinois Economic and
22 Fiscal Pension--Laws Commission, hereafter in this Act
23 referred to as the "Commission", shall prepare a written
24 pension system impact note in relation to any bill introduced
25 in either house of the General Assembly which proposes to
26 amend, revise, or add to any provision of the Illinois
27 Pension Code or the State Pension Funds Continuing
28 Appropriation Act. Upon the introduction of any such bill,
29 the Clerk of the House or the Secretary of the Senate shall
30 forward the bill to the Commission, which shall prepare such
31 a note within 7 calendar days after receiving the request.
32 The bill shall be held on second reading until the note has

1 been received.

2 Copies of each pension impact note shall be furnished by
3 the Commission to the presiding officer of each house, the
4 minority leader of each house, the Clerk of the House of
5 Representatives, the Secretary of the Senate, the sponsor of
6 the bill which is the subject of the note, the member, if
7 any, who initiated the request for the note, the Chairman of
8 the House Committee on Personnel and Pensions, and the
9 Chairman of the Senate Committee on Insurance, Pensions and
10 Licensed Activities.

11 (Source: P.A. 89-113, eff. 7-7-95.)

12 (25 ILCS 125/Act rep.)

13 Section 35. The Space Needs Act is repealed.

14 Section 40. The Legislative Commission Reorganization
15 Act of 1984 is amended by changing Sections 1-3, 1-5, 3A-1,
16 4-1, 4-3, 4-4, 4-7, 4-9, 10-3, and 10-6, by changing and
17 resectioning Section 4-2 as Sections 4-2 and 4-2.1, and by
18 adding Article 8A as follows:

19 (25 ILCS 130/1-3) (from Ch. 63, par. 1001-3)

20 Sec. 1-3. Legislative support services agencies. The
21 Joint Committee on Legislative Support Services is
22 responsible for establishing general policy and coordinating
23 activities among the legislative support services agencies.
24 The legislative support services agencies include the
25 following:

- 26 (1) Joint Committee on Administrative Rules;
- 27 (2) Illinois Economic and Fiscal Commission;
- 28 ~~(3) -- Illinois --- Commission --- on --- Intergovernmental~~
- 29 ~~Cooperation;~~
- 30 (3) ~~(4)~~ Legislative Information System;
- 31 (4) ~~(5)~~ Legislative Reference Bureau;

- 1 ~~(5) (6)~~ Legislative Audit Commission;
- 2 ~~(7)--Space-Needs-Commission;~~
- 3 ~~(6) (8)~~ Legislative Printing Unit;
- 4 ~~(7) (9)~~ Legislative Research Unit; and
- 5 ~~(10)--Citizens-Assembly;-and~~
- 6 ~~(11)--Pension-Laws-Commission~~
- 7 (8) Office of the Architect of the Capitol.

8 (Source: P.A. 89-113, eff. 7-7-95.)

9 (25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)
10 Sec. 1-5. Composition of agencies; directors.

11 (a)(1) Each legislative support services agency listed
12 in Section 1-3 is hereafter in this Section referred to
13 as the Agency.

14 (2) (Blank). ~~The-Citizens-Assembly-shall-consist-of--the~~
15 ~~14--co-chairpersons--of--the--Citizens-Councils-created-under~~
16 ~~Article-11A.~~

17 (2.1) (Blank). ~~The-Pension-Laws-Commission-shall-consist~~
18 ~~of-8-members-of-the-General-Assembly,--of--whom--2--shall--be~~
19 ~~appointed--by--the--President--of--the--Senate,--2--shall--be~~
20 ~~appointed--by--the--Minority-Leader-of-the-Senate,--2--shall-be~~
21 ~~appointed-by-the-Speaker-of-the-House-of-Representatives,--and~~
22 ~~2--shall-be-appointed-by-the-Minority-Leader-of-the--House--of~~
23 ~~Representatives;--plus--8--public--members--with-knowledge-of~~
24 ~~privately-funded-and-operated-pension-plans,--of-whom-2--shall~~
25 ~~be--appointed--by--the--President--of--the-Senate,--2--shall-be~~
26 ~~appointed-by-the-Minority-Leader-of-the-Senate,--2--shall--be~~
27 ~~appointed-by-the-Speaker-of-the-House-of-Representatives,--and~~
28 ~~2--shall--be-appointed-by-the-Minority-Leader-of-the-House-of~~
29 ~~Representatives.--All-appointments-shall--be--in--writing--and~~
30 ~~filed-with-the-Secretary-of-State-as-a-public-record.~~

31 Legislative--members-of-the-Pension-Laws-Commission-shall
32 be-appointed-during-the-month-of-January-in-each-odd-numbered
33 year-for-2-year-terms-beginning-February-1.--Any--vacancy--on

1 the-Commission-shall-be-filled-by-appointment-for-the-balance
2 of--the--term-in-the-same-manner-as-the-original-appointment.
3 A-vacancy-exists-when-a-legislative-member-ceases-to-hold-the
4 elected-legislative-office-held-at-the-time--of--appointment.
5 The--initial--legislative--members-of-the-Commission-shall-be
6 appointed-as-soon-as-practicable-after-the-effective-date--of
7 this-amendatory-Act-and-shall-serve-until-January-31,-1997.

8 (2.5) The Board of the Office of the Architect of the
9 Capitol shall consist of the Secretary and Assistant
10 Secretary of the Senate and the Clerk and Assistant Clerk of
11 the House of Representatives.

12 (3) The other legislative support services agencies
13 shall each consist of 12 members of the General Assembly, of
14 whom 3 shall be appointed by the President of the Senate, 3
15 shall be appointed by the Minority Leader of the Senate, 3
16 shall be appointed by the Speaker of the House of
17 Representatives, and 3 shall be appointed by the Minority
18 Leader of the House of Representatives. All appointments
19 shall be in writing and filed with the Secretary of State as
20 a public record.

21 Members shall serve a 2-year two-year term, and must be
22 appointed by the Joint Committee during the month of January
23 in each odd-numbered year for terms beginning February 1.
24 Any vacancy in an Agency shall be filled by appointment for
25 the balance of the term in the same manner as the original
26 appointment. A vacancy shall exist when a member no longer
27 holds the elected legislative office held at the time of the
28 appointment or at the termination of the member's legislative
29 service.

30 (b) (Blank).

31 (c) ~~Every-two-years-the-members--of--each--Agency--shall~~
32 ~~elect,~~ During the month of February of each odd-numbered
33 year, the Joint Committee on Legislative Support Services
34 shall select from the members of each agency, other than the

1 Office of the Architect of the Capitol, 2 co-chairmen and
2 such other officers as the Joint Committee deems they deem
3 necessary. ~~If members of the Agency cannot agree on the~~
4 ~~co-chairmen by March 1 of the odd-numbered year, the~~
5 ~~co-chairmen shall be selected from among the members by the~~
6 ~~Joint Committee on Legislative Support Services.~~ The
7 co-chairmen of each Agency shall serve for a 2-year two-year
8 term, beginning February 1 of the odd-numbered year, and the
9 2 co-chairmen shall not be members of or identified with the
10 same house or the same political party. The co-chairmen of
11 the Board of the Office of the Architect of the Capitol shall
12 be the Secretary of the Senate and the Clerk of the House of
13 Representatives, each ex officio. ~~If a co-chairman of the~~
14 ~~Citizens Assembly is not a member of the General Assembly, he~~
15 ~~shall be considered to be identified with the house and the~~
16 ~~political party of the legislative leader by whom he was~~
17 ~~appointed. The co-chairmen of the Pension Laws Commission~~
18 ~~shall be legislative members of the Commission.~~

19 Each Agency shall meet twice annually or more often upon
20 the call of the chair or any 9 members (or any 3 members in
21 the case of the Office of the Architect of the Capitol). A
22 quorum of the Agency shall consist of a majority of the
23 appointed members.

24 (d) Members of each Agency shall serve without
25 compensation, but shall be reimbursed for expenses incurred
26 in carrying out the duties of the Agency pursuant to rules
27 and regulations adopted by the Joint Committee on Legislative
28 Support Services.

29 (e) Beginning February 1, 1985, and every 2 two years
30 thereafter, the Joint Committee shall select an Executive
31 Director who shall be the chief executive officer and staff
32 director of each Agency. The Executive Director shall
33 receive a salary as fixed by the Joint Committee and shall be
34 authorized to employ and fix the compensation of necessary

1 professional, technical and secretarial staff and prescribe
 2 their duties, sign contracts, and issue vouchers for the
 3 payment of obligations pursuant to rules and regulations
 4 adopted by the Joint Committee on Legislative Support
 5 Services. The Executive Director and other employees of the
 6 Agency shall not be subject to the Personnel Code.

7 The executive director of the Office of the Architect of
 8 the Capitol shall be known as the Architect of the Capitol.

9 (Source: P.A. 89-113, eff. 7-7-95.)

10 (25 ILCS 130/3A-1)

11 Sec. 3A-1. Economic and Fiscal Pension--Laws Commission;
 12 pension laws.

13 (a) The Economic and Fiscal Pension-Laws Commission is
 14 hereby-established-as-a-legislative-support-services--agency.
 15 The--Commission-is-subject-to-the-provisions-of-this-Act.--It
 16 shall have the powers, and-perform-the duties, and delegated
 17 to--it--under--this-Act,-the-Pension-Impact-Note-Act,-and-the
 18 Illinois-Pension-Code-and-shall-perform-any--other functions
 19 that may be provided by law.

20 (b) The Pension-Laws Commission shall make a continuing
 21 study of the laws and practices pertaining to pensions and
 22 related retirement and disability benefits for persons in
 23 State or local government service and their survivors and
 24 dependents, shall evaluate existing laws and practices, and
 25 shall review and make recommendations on proposed changes to
 26 those laws and practices.

27 (c) The Commission shall be responsible for the
 28 preparation of Pension Impact Notes as provided in the
 29 Pension Impact Note Act.

30 (d) The Commission shall report to the General Assembly
 31 annually or as it deems necessary or useful on the results of
 32 its studies and the performance of its duties.

33 (e) The Commission may request assistance from any other

1 entity as necessary or useful for the performance of its
2 duties.

3 (f) For purposes of the Successor Agency Act and Section
4 9b of the State Finance Act, the Economic and Fiscal
5 Commission is the successor to the Pension Laws Commission.
6 The Economic and Fiscal Commission succeeds to and assumes
7 all powers, duties, rights, responsibilities, personnel,
8 assets, liabilities, and indebtedness of the Pension Laws
9 Commission. Any reference in any law, rule, form, or other
10 document to the Pension Laws Commission is deemed to be a
11 reference to the Economic and Fiscal Commission. The Illinois
12 Economic and Fiscal Commission shall continue to perform the
13 functions and duties that are being transferred from it to
14 the Pension Laws Commission by this amendatory Act of 1995
15 until the Pension Laws Commission has been appointed and
16 funded and is prepared to begin its operations.

17 (Source: P.A. 89-113, eff. 7-7-95; 90-14, eff. 7-1-97.)

18 (25 ILCS 130/4-1) (from Ch. 63, par. 1004-1)

19 Sec. 4-1. For purposes of the Successor Agency Act and
20 Section 9b of the State Finance Act, the Legislative Research
21 Unit is the successor to the Illinois Commission on
22 Intergovernmental Cooperation. The Legislative Research Unit
23 succeeds to and assumes all powers, duties, rights,
24 responsibilities, personnel, assets, liabilities, and
25 indebtedness of the Illinois Commission on Intergovernmental
26 Cooperation. Any reference in any law, rule, form, or other
27 document to the Illinois Commission on Intergovernmental
28 Cooperation is deemed to be a reference to the Legislative
29 Research Unit. The Illinois Commission on Intergovernmental
30 Cooperation, hereinafter referred to as the "Commission", is
31 hereby established as a legislative support services agency.
32 The Commission shall perform the powers and duties delegated
33 to it under this Act and such other functions as may be

1 ~~provided-by-law-~~

2 (Source: P.A. 83-1257.)

3 (25 ILCS 130/4-2) (from Ch. 63, par. 1004-2)

4 Sec. 4-2. Intergovernmental functions. It shall be the
5 function of the Legislative Research Unit ~~this-Commission:~~

6 (1) To carry forward the participation of this State as
7 a member of the Council of State Governments.

8 (2) To encourage and assist the legislative, executive,
9 administrative and judicial officials and employees of this
10 State to develop and maintain friendly contact by
11 correspondence, by conference, and otherwise, with officials
12 and employees of the other States, of the Federal Government,
13 and of local units of government.

14 (3) To endeavor to advance cooperation between this
15 State and other units of government whenever it seems
16 advisable to do so by formulating proposals for, and by
17 facilitating:

18 (a) The adoption of compacts.

19 (b) The enactment of uniform or reciprocal
20 statutes.

21 (c) The adoption of uniform or reciprocal
22 administrative rules and regulations.

23 (d) The informal cooperation of governmental
24 offices with one another.

25 (e) The personal cooperation of governmental
26 officials and employees with one another individually.

27 (f) The interchange and clearance of research and
28 information.

29 (g) Any other suitable process, and

30 (h) To do all such acts as will enable this State
31 to do its part in forming a more perfect union among the
32 various governments in the United States and in
33 developing the Council of State Governments for that

1 purpose.

2 (Source: P.A. 87-961; revised 8-23-03.)

3 (25 ILCS 130/4-2.1 new)

4 Sec. 4-2.1. Federal program functions. (4) The
5 Legislative Research Unit Commission is established as the
6 information center for the General Assembly in the field of
7 federal-state relations and as State Central Information
8 Reception Agency for the purpose of receiving information
9 from federal agencies under the United States Office of
10 Management and Budget circular A-98 and the United States
11 Department of the Treasury Circular TC-1082 or any successor
12 circulars promulgated under authority of the United States
13 Inter-governmental Cooperation Act of 1968. Its powers and
14 duties in this capacity include, but are not limited to:

15 (a) Compiling and maintaining current information
16 on available and pending federal aid programs for the use
17 of the General Assembly and legislative agencies;

18 (b) Analyzing the relationship of federal aid
19 programs with state and locally financed programs, and
20 assessing the impact of federal aid programs on the State
21 generally;

22 (c) Reporting annually to the General Assembly on
23 the adequacy of programs financed by federal aid in the
24 State, the types and nature of federal aid programs in
25 which State agencies or local governments did not
26 participate, and to make recommendations on such matters;

27 (d) Cooperating with the Governor's Office of
28 Management and Budget Illinois-Bureau-of-the--Budget and
29 with any State of Illinois offices located in Washington,
30 D.C., in obtaining information concerning federal
31 grant-in-aid legislation and proposals having an impact
32 on the State of Illinois;

33 (e) Cooperating with the Governor's Office of

1 Management and Budget Bureau-of-the-Budget in developing
2 forms and identifying number systems for the
3 documentation of applications, awards, receipts and
4 expenditures of federal funds by State agencies;

5 (f) Receiving from every State agency, other than
6 State colleges and universities, agencies of legislative
7 and judicial branches of State government, and elected
8 State executive officers not including the Governor, all
9 applications for federal grants, contracts and agreements
10 and notification of any awards of federal funds and any
11 and all changes in the programs, in awards, in program
12 duration, in schedule of fund receipts, and in estimated
13 costs to the State of maintaining the program if and when
14 federal assistance is terminated, or in direct and
15 indirect costs, of any grant under which they are or
16 expect to be receiving federal funds;

17 (g) Forwarding to the Governor's Office of
18 Management and Budget Bureau-of-the-Budget all documents
19 received under paragraph (f) after assigning an
20 appropriate, State application identifier number to all
21 applications; and

22 (h) Reporting such information as is received under
23 subparagraph (f) to the President and Minority Leader of
24 the Senate and the Speaker and Minority Leader of the
25 House of Representatives and their respective
26 appropriation staffs and to any member of the General
27 Assembly on a monthly basis at the request of the member.

28 The State colleges and universities, the agencies of the
29 legislative and judicial branches of State government, and
30 the elected State executive officers, not including the
31 Governor, shall submit to the Legislative Research Unit
32 Commission, in a manner prescribed by the Legislative
33 Research Unit Commission, summaries of applications for
34 federal funds filed and grants of federal funds awarded.

1 (Source: P.A. 87-961; revised 8-23-03.)

2 (25 ILCS 130/4-3) (from Ch. 63, par. 1004-3)

3 Sec. 4-3. The Legislative Research Unit Commission shall
4 establish such committees as it deems advisable, in order
5 that they may confer and formulate proposals concerning
6 effective means to secure intergovernmental harmony, and may
7 perform other functions for the Unit Commission in obedience
8 to its decision. Subject to the approval of the Unit
9 Commission, the member or members of each such committee
10 shall be appointed by the co-chairmen Chairman of the Unit
11 Commission. State officials or employees who are not members
12 of the Unit Commission-on-Intergovernmental-Cooperation may
13 be appointed as members of any such committee, but private
14 citizens holding no governmental position in this State shall
15 not be eligible. The Unit Commission may provide such other
16 rules as it considers appropriate concerning the membership
17 and the functioning of any such committee. The Unit
18 Commission may provide for advisory boards for itself and for
19 its various committees, and may authorize private citizens to
20 serve on such boards.

21 (Source: P.A. 83-1257.)

22 (25 ILCS 130/4-4) (from Ch. 63, par. 1004-4)

23 Sec. 4-4. The General Assembly finds that the most
24 efficient and productive use of federal block grant funds can
25 be achieved through the coordinated efforts of the
26 Legislature, the Executive, State and local agencies and
27 private citizens. Such coordination is possible through the
28 creation of an Advisory Committee on Block Grants empowered
29 to review, analyze and make recommendations through the
30 Legislative Research Unit Commission to the General Assembly
31 and the Governor on the use of federally funded block grants.

32 The Legislative Research Unit Commission shall establish

1 an Advisory Committee on Block Grants. The primary purpose
2 of the Advisory Committee shall be the oversight of the
3 distribution and use of federal block grant funds.

4 The Advisory Committee shall consist of 4 public members
5 appointed by the Joint Committee on Legislative Support
6 Services and the members of the Legislative Research Unit
7 Commission. A chairperson shall be chosen by the members of
8 the Advisory Committee.

9 (Source: P.A. 83-1257.)

10 (25 ILCS 130/4-7) (from Ch. 63, par. 1004-7)

11 Sec. 4-7. The Legislative Research Unit Commission shall
12 report to the Governor and to the Legislature within 15
13 fifteen days after the convening of each General Assembly,
14 and at such other time as it deems appropriate. The members
15 of all committees which it establishes shall serve without
16 compensation for such service, but they shall be paid their
17 necessary expenses in carrying out their obligations under
18 this Act. The Unit Commission may by contributions to the
19 Council of State Governments, participate with other states
20 in maintaining the said Council's district and central
21 secretariats, and its other governmental services.

22 The requirement for reporting to the General Assembly
23 shall be satisfied by filing copies of the report with the
24 Speaker, the Minority Leader and the Clerk of the House of
25 Representatives and the President, the Minority Leader and
26 the Secretary of the Senate ~~and the Legislative Research~~
27 ~~Unit, as required by Section 3.1 of "An Act to revise the law~~
28 ~~in relation to the General Assembly", approved February 25,~~
29 ~~1874, as amended,~~ and filing such additional copies with the
30 State Government Report Distribution Center for the General
31 Assembly as is required under paragraph (t) of Section 7 of
32 the State Library Act.

33 (Source: P.A. 83-1257.)

1 (25 ILCS 130/4-9) (from Ch. 63, par. 1004-9)

2 Sec. 4-9. Intergovernmental Cooperation Conference Fund.

3 (a) There is hereby created the Intergovernmental
4 Cooperation Conference Fund, hereinafter called the "Fund".
5 The Fund shall be outside the State treasury, but the State
6 Treasurer shall act as ex-officio custodian of the Fund.

7 (b) The Legislative Research Unit Commission may charge
8 and collect fees from participants at conferences held in
9 connection with the Unit's Commission's exercise of its
10 powers and duties. The fees shall be charged in an amount
11 calculated to cover the cost of the conferences and shall be
12 deposited in the Fund.

13 (c) Monies in the Fund shall be used to pay the costs of
14 the conferences. As soon as may be practicable after the
15 close of business on June 30 of each year, the Unit
16 Commission shall notify the Comptroller of the amount
17 remaining in the Fund which is not necessary to pay the
18 expenses of conferences held during the expiring fiscal year.
19 Such amount shall be transferred by the Comptroller and the
20 Treasurer from the Fund to the General Revenue Fund. If,
21 during any fiscal year, the monies in the Fund are
22 insufficient to pay the costs of conferences held during that
23 fiscal year, the difference shall be paid from other monies
24 which may be available to the Commission.

25 (Source: P.A. 85-491.)

26 (25 ILCS 130/Art. 8A heading new)

27 ARTICLE 8A

28 (25 ILCS 130/8A-5 new)

29 Sec. 8A-5. Architect of the Capitol.

30 (a) The Architect of the Capitol must be an architect
31 licensed under the Illinois Architecture Practice Act of 1989
32 and must have at least 5 years of experience in the field of

1 architecture, historic preservation, or both.

2 (b) The offices of the Architect of the Capitol and his
3 or her staff shall be located in Springfield, Illinois, in a
4 building or facility occupied in whole or in part by the
5 legislative branch.

6 (c) The Architect of the Capitol shall have the powers
7 and duties provided by law and by the Board of the Office of
8 the Architect of the Capitol.

9 (25 ILCS 130/8A-10 new)

10 Sec. 8A-10. Capitol Historic Preservation Board.

11 (a) The Capitol Historic Preservation Board shall
12 consist of 10 persons. One member shall be appointed by each
13 of the following: the President and Minority Leader of the
14 Senate, the Speaker and Minority Leader of the House of
15 Representatives, the Governor, the Secretary of State, the
16 Attorney General, the Chief Justice of the Illinois Supreme
17 Court, and the Mayor of the City of Springfield. Knowledge
18 and experience in the areas of architecture and historic
19 preservation may be considered, in addition to other
20 appropriate qualifications, in appointing members of the
21 Board. In addition, the Executive Director of the Capital
22 Development Board, ex officio, shall serve as a member.

23 (b) Appointed members of the Board shall serve 4-year
24 terms, except that the members initially appointed by the
25 President and Minority Leader of the Senate, the Speaker and
26 Minority Leader of the House of Representatives, and the
27 Governor shall serve 2-year terms. Members shall serve
28 without compensation but shall be reimbursed for expenses
29 incurred in the performance of their duties.

30 (c) The Capitol Historic Preservation Board shall serve
31 as an advisory body to the Architect of the Capitol and shall
32 perform such advisory functions as provided by law or
33 requested by the Architect of the Capitol or the Board of the

1 Office of the Architect of the Capitol.

2 (25 ILCS 130/8A-15 new)

3 Sec. 8A-15. Master plan.

4 (a) The term "legislative complex" means (i) the
5 buildings and facilities located in Springfield, Illinois,
6 and occupied in whole or in part by the General Assembly or
7 any of its support service agencies, (ii) the grounds,
8 walkways, and tunnels surrounding or connected to those
9 buildings and facilities, and (iii) the off-street parking
10 areas serving those buildings and facilities.

11 (b) The Architect of the Capitol shall prepare and
12 implement a long-range master plan of development for the
13 State Capitol Building and the remaining portions of the
14 legislative complex that addresses the improvement,
15 construction, historic preservation, restoration,
16 maintenance, repair, and landscaping needs of the State
17 Capitol Building and the remaining portions of the
18 legislative complex. The Architect of the Capitol shall
19 submit the master plan to the Capitol Historic Preservation
20 Board for its review and comment. The Board must confine its
21 review and comment to those portions of the master plan that
22 relate to areas of the legislative complex other than the
23 State Capitol Building. The Architect may incorporate
24 suggestions of the Board into the master plan. The master
25 plan must be submitted to and approved by the Board of the
26 Office of the Architect of the Capitol before its
27 implementation.

28 The Architect of the Capitol may change the master plan
29 and shall submit changes in the master plan that relate to
30 areas of the legislative complex other than the State Capitol
31 Building to the Capitol Historic Preservation Board for its
32 review and comment. All changes in the master plan must be
33 submitted to and approved by the Board of the Office of the

1 Architect of the Capitol before implementation.

2 (c) The Architect of the Capitol must review the master
3 plan every 5 years or at the direction of the Board of the
4 Office of the Architect of the Capitol. Changes in the master
5 plan resulting from this review must be made in accordance
6 with the procedure provided in subsection (b).

7 (d) Notwithstanding any other law to the contrary, the
8 Architect of the Capitol has the sole authority to contract
9 for all materials and services necessary for the
10 implementation of the master plan. The Architect (i) may
11 comply with the procedures established by the Joint Committee
12 on Legislative Support Services under Section 1-4 or (ii)
13 upon approval of the Board of the Office of the Architect of
14 the Capitol, may, but is not required to, comply with a
15 portion or all of the Illinois Procurement Code when entering
16 into contracts under this subsection. The Architect's
17 compliance with the Illinois Procurement Code shall not be
18 construed to subject the Architect or any other entity of the
19 legislative branch to the Illinois Procurement Code with
20 respect to any other contract.

21 The Architect may enter into agreements with other State
22 agencies for the provision of materials or performance of
23 services necessary for the implementation of the master plan.

24 State officers and agencies providing normal, day-to-day
25 repair, maintenance, or landscaping or providing security,
26 commissary, utility, parking, banking, tour guide, event
27 scheduling, or other operational services for buildings and
28 facilities within the legislative complex immediately prior
29 to the effective date of this amendatory Act of the 93rd
30 General Assembly shall continue to provide that normal,
31 day-to-day repair, maintenance, or landscaping or those
32 services on the same basis, whether by contract or employees,
33 that the repair, maintenance, landscaping, or services were
34 provided immediately prior to the effective date of this

1 amendatory Act of the 93rd General Assembly, subject to the
2 provisions of the master plan and as otherwise directed by
3 the Architect of the Capitol.

4 (e) The Architect of the Capitol shall monitor
5 construction, preservation, restoration, maintenance, repair,
6 and landscaping work in the legislative complex and all other
7 activities that alter the historic integrity of the
8 legislative complex.

9 (25 ILCS 130/8A-20 new)

10 Sec. 8A-20. Space allocation. The Architect of the
11 Capitol has the power and duty, subject to direction by the
12 Board of the Office of the Architect of the Capitol, to make
13 space allocations for the use of the General Assembly and its
14 related agencies.

15 (25 ILCS 130/8A-25 new)

16 Sec. 8A-25. Historic items. In addition to any property
17 control activities required by law, the Architect of the
18 Capitol shall maintain an inventory and registry of all
19 historic items in the legislative complex. The Architect may
20 purchase or accept donations of historic items for use or
21 display in the legislative complex.

22 (25 ILCS 130/8A-30 new)

23 Sec. 8A-30. Acquisition of land; contract review. The
24 Architect of the Capitol, upon the approval of the Board of
25 the Office of the Architect of the Capitol, may acquire land
26 in Springfield, Illinois, within the area bounded by
27 Washington, Third, Cook, and Pasfield Streets for the purpose
28 of providing space for the operation and expansion of the
29 legislative complex or other State facilities. The Architect
30 of the Capitol must review and either approve or disapprove
31 all contracts for the repair, rehabilitation, construction,

1 or alteration of all State buildings within the bounded area,
2 except the Supreme Court Building and the Fourth District
3 Appellate Court Building.

4 (25 ILCS 130/8A-35 new)

5 Sec. 8A-35. Capitol Restoration Trust Fund;
6 appropriations.

7 (a) The Capitol Restoration Trust Fund is created as a
8 special fund within the State treasury. The Fund may accept
9 deposits from any source, whether private or public, and may
10 be appropriated only for the use of the Architect of the
11 Capitol in the performance of his or her powers and duties.
12 The Architect of the Capitol may seek private and public
13 funds for deposit into the Capitol Restoration Trust Fund.

14 (b) The Architect of the Capitol shall submit all budget
15 requests to implement the master plan that relate to areas of
16 the legislative complex other than the State Capitol Building
17 to the Capitol Historic Preservation Board for review and
18 comment. The Architect of the Capitol shall submit all
19 budget requests to the Board of the Office of the Architect
20 of the Capitol for approval.

21 (25 ILCS 130/8A-40 new)

22 Sec. 8A-40. Annual report. The Architect of the Capitol
23 annually shall report to the Board of the Office of the
24 Architect of the Capitol, the Capitol Historic Preservation
25 Board, and the appointing authorities of the Capitol Historic
26 Preservation Board. The report shall summarize (i) the
27 master plan, (ii) the master plan projects completed since
28 the previous annual report, (iii) the projects, and their
29 estimated costs, proposed or approved for the next 5 years
30 under the master plan, and (iv) the amount and sources of
31 moneys deposited into the Capitol Restoration Trust Fund from
32 sources other than the State since the previous annual

1 report.

2 (25 ILCS 130/8A-45 new)

3 Sec. 8A-45. State agency cooperation. The Architect of
4 the Capitol may request and shall receive the cooperation of
5 any State officer or agency in the performance of the
6 Architect's powers and duties.

7 (25 ILCS 130/8A-50 new)

8 Sec. 8A-50. Rules. The Architect of the Capitol may
9 promulgate rules necessary for the performance of his or her
10 powers and duties, subject to approval by the Board of the
11 Office of the Architect of the Capitol.

12 (25 ILCS 130/8A-55 new)

13 Sec. 8A-55. Successor agency. For purposes of the
14 Successor Agency Act and Section 9b of the State Finance Act,
15 the Office of the Architect of the Capitol is the successor
16 to the Space Needs Commission. The Office of the Architect of
17 the Capitol succeeds to and assumes all powers, duties,
18 rights, responsibilities, personnel, assets, liabilities, and
19 indebtedness of the Space Needs Commission. Any reference in
20 any law, rule, form, or other document to the Space Needs
21 Commission is deemed to be a reference to the Office of the
22 Architect of the Capitol.

23 (25 ILCS 130/10-3) (from Ch. 63, par. 1010-3)

24 Sec. 10-3. The Legislative Research Unit may administer a
25 legislative staff internship program in cooperation with a
26 university in the State designated by the Legislative
27 Research Unit. For---the---purpose---of---advising---in---the
28 administration---of---such---a---program,---there---is---created---a
29 sponsoring---committee---for---legislative---staff---internships
30 consisting---of---the---chairman---of---the---Legislative---Research---Unit

1 or-a-member-designated-by-him, the-President-of-the-Senate-or
2 a--Senator--designated--by--him,--the-Speaker-of-the-House-of
3 Representatives-or-a-Representative-designated--by--him,--the
4 Minority-Leader-of-the-Senate-or-a-Senator-designated-by-him,
5 and--the-Minority-Leader-of-the-House-of-Representatives-or-a
6 Representative-designated-by-him, as-plenary-members, and--as
7 associate-members, one-person-from-the-academic-staff-of-each
8 university--designated--by-the-Legislative-Research-Unit-as-a
9 cooperating-university-and-agreeing-to-cooperate, such-person
10 to-be-appointed-by-the--ranking--academic--official--of--such
11 university.-----Until--the--Legislative--Research--Unit,--by
12 resolution,---determines---otherwise,---such---cooperating
13 universities--are-Northwestern-University, Illinois-Institute
14 of-Technology, University-of-Chicago, University-of-Illinois,
15 Roosevelt-University,--Western--Illinois--University,--Loyola
16 University--of--Chicago, Southern-Illinois-University, DePaul
17 University, Eastern-Illinois--University,--Northern--Illinois
18 University,--Sangamon--State--University,--and-Illinois-State
19 University.--Associate-members-shall-serve-at-the-pleasure-of
20 their-respective--appointing--authorities,---Members--of--the
21 sponsoring--committee--shall--serve-without-compensation, but
22 shall-be-reimbursed-for-necessary-expenses-in-connection-with
23 the-performance-of-their-duties.

24 (Source: P.A. 83-1257; revised 11-6-02.)

25 (25 ILCS 130/10-6) (from Ch. 63, par. 1010-6)

26 Sec. 10-6. Each quarter of the calendar year month the
27 Legislative Research Unit shall prepare and provide to each
28 member of the General Assembly abstracts and indexes of
29 reports filed with it as reports to the General Assembly.
30 With such abstracts and indexes the Legislative Research Unit
31 shall include a convenient form by which each member of the
32 General Assembly may request, from the State Government
33 Report Distribution Center in the State Library, copies of

1 such reports as the member may wish to receive. For the
2 purpose of receiving reports filed under this Section the
3 Legislative Research Unit shall succeed to the powers and
4 duties formerly exercised by the Legislative Council.

5 (Source: P.A. 83-1257.)

6 (25 ILCS 130/Art. 8 rep.)

7 (25 ILCS 130/Art. 11A rep.)

8 Section 45. The Legislative Commission Reorganization
9 Act of 1984 is amended by repealing Articles 8 and 11A.

10 Section 50. The Legislative Reference Bureau Act is
11 amended by changing Section 6 as follows:

12 (25 ILCS 135/6) (from Ch. 63, par. 30)

13 Sec. 6. The Architect of the Capitol Secretary--of--State
14 shall provide the Legislative said Reference Bureau with
15 suitable offices in the legislative complex, as defined in
16 the Legislative Commission Reorganization Act of 1984 State
17 Capitol, convenient to the place of meeting of the General
18 Assembly, ~~and shall further provide said reference bureau~~
19 ~~with the necessary furniture, stationery and supplies.~~

20 (Source: Laws 1913, p. 391.)

21 Section 55. The Legislative Information System Act is
22 amended by changing Sections 4, 5.07, and 8 as follows:

23 (25 ILCS 145/4) (from Ch. 63, par. 42.14)

24 Sec. 4. The Architect of the Capitol Secretary-of-State
25 shall furnish the System with suitable office space in the
26 legislative complex, as defined in the Legislative Commission
27 Reorganization Act of 1984 State--Capitol, situated in a
28 location convenient to the chambers of the Senate and the
29 House of Representatives.

1 The Secretary of State shall, as State librarian,
2 cooperate with the System by making accessible to the System
3 the library collection and providing, on a loan basis, such
4 books, periodicals and other materials as relate to the
5 purposes of this Act.

6 (Source: P.A. 80-683.)

7 (25 ILCS 145/5.07) (from Ch. 63, par. 42.15-7)

8 Sec. 5.07. To make a biennial report to the General
9 Assembly, by April 1 of each odd-numbered year, summarizing
10 its accomplishments in the preceding 2 years and its
11 recommendations, including any proposed legislation it
12 considers necessary or desirable to effectuate the purposes
13 of this Act.

14 The requirement for reporting to the General Assembly
15 shall be satisfied by filing copies of the report with the
16 Speaker, the Minority Leader and the Clerk of the House of
17 Representatives and the President, the Minority Leader and
18 the Secretary of the Senate and the Legislative Research
19 Unit, as required by Section 3.1 of the General Assembly
20 Organization Act "~~An Act to revise the law in relation to the~~
21 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
22 and filing such additional copies with the State Government
23 Report Distribution Center for the General Assembly as is
24 required under paragraph (t) of Section 7 of the State
25 Library Act.

26 (Source: P.A. 84-1438.)

27 (25 ILCS 145/8) (from Ch. 63, par. 42.18)

28 Sec. 8. The System may utilize the services of an
29 advisory committee for conceptualization, design and
30 implementation of applications considered or adopted by the
31 System. The advisory committee shall be comprised of (a) 8
32 legislative staff assistants, 2 to be appointed by the

1 Speaker of the House of Representatives, 2 by the Minority
2 Leader thereof, 2 by the President of the Senate and 2 by the
3 Minority Leader thereof, but at least one of the appointments
4 by each legislative leader must be from the staff of
5 legislative appropriation committees; (b) one professional
6 staff member from the Legislative Reference Bureau, appointed
7 by the Executive Director thereof; and one from the
8 Legislative Research Unit, appointed by the Executive
9 Director thereof; ~~and---one--from--the--Intergovernmental~~
10 ~~Cooperation-Commission,-appointed-by-the--Executive--Director~~
11 ~~thereof~~ and (c) the Executive Director of the Legislative
12 Information System, who shall serve as temporary chairman of
13 the advisory committee until a permanent chairman is chosen
14 from among its members. Members of the advisory committee
15 shall have no vote on the Joint Committee.

16 (Source: P.A. 84-1438.)

17 Section 60. The Legislative Audit Commission Act is
18 amended by changing Section 5 as follows:

19 (25 ILCS 150/5) (from Ch. 63, par. 108)

20 Sec. 5. The permanent office of the Legislative Audit
21 Commission shall be in the legislative complex, as defined in
22 the Legislative Commission Reorganization Act of 1984 State
23 ~~Capitol--Complex~~, wherein the Architect of the Capitol
24 ~~Secretary--of--State~~ shall provide suitable and sufficient
25 offices.

26 (Source: P.A. 78-884.)

27 Section 65. The Illinois Economic and Fiscal Commission
28 Act is amended by changing Sections 3, 4, and 6.2 as follows:

29 (25 ILCS 155/3) (from Ch. 63, par. 343)

30 Sec. 3. The Commission shall:

1 (1) Study from time to time and report to the General
2 Assembly on economic development and trends in the State.

3 (2) Make such special economic and fiscal studies as it
4 deems appropriate or desirable or as the General Assembly may
5 request.

6 (3) Based on its studies, recommend such State fiscal
7 and economic policies as it deems appropriate or desirable to
8 improve the functioning of State government and the economy
9 of the various regions within the State.

10 (4) Prepare annually a State economic report.

11 (5) Provide information for all appropriate legislative
12 organizations and personnel on economic trends in relation to
13 long range planning and budgeting.

14 (6) Study and make such recommendations as it deems
15 appropriate to the General Assembly on local and regional
16 economic and fiscal policy and on federal fiscal policy as it
17 may affect Illinois.

18 (7) Review capital expenditures, appropriations and
19 authorizations for both the State's general obligation and
20 revenue bonding authorities. At the direction of the
21 Commission, specific reviews may include economic feasibility
22 reviews of existing or proposed revenue bond projects to
23 determine the accuracy of the original estimate of useful
24 life of the projects, maintenance requirements and ability to
25 meet debt service requirements through their operating
26 expenses.

27 (8) Receive and review all executive agency and revenue
28 bonding authority annual and 3 year plans. The Commission
29 shall prepare a consolidated review of these plans, an
30 updated assessment of current State agency capital plans, a
31 report on the outstanding and unissued bond authorizations,
32 an evaluation of the State's ability to market further bond
33 issues and shall submit them as the "Legislative Capital Plan
34 Analysis" to the House and Senate Appropriations Committees

1 at least once a year. The Commission shall annually submit
2 to the General Assembly on the first Wednesday of April a
3 report on the State's long-term capital needs, with
4 particular emphasis upon and detail of the 5-year period in
5 the immediate future.

6 (9) Study and make recommendations it deems appropriate
7 to the General Assembly on State bond financing, bondability
8 guidelines, and debt management. At the direction of the
9 Commission, specific studies and reviews may take into
10 consideration short and long-run implications of State
11 bonding and debt management policy.

12 (10) Comply with the provisions of the "State Debt
13 Impact Note Act" as now or hereafter amended.

14 (11) Comply with the provisions of the Pension Impact
15 Note Act, as now or hereafter amended.

16 (12) By August 1st of each year, the Commission must
17 prepare and cause to be published a summary report of State
18 appropriations for the State fiscal year beginning the
19 previous July 1st. The summary report must discuss major
20 categories of appropriations, the issues the General Assembly
21 faced in allocating appropriations, comparisons with
22 appropriations for previous State fiscal years, and other
23 matters helpful in providing the citizens of Illinois with an
24 overall understanding of appropriations for that fiscal year.
25 The summary report must be written in plain language and
26 designed for readability. Publication must be in newspapers
27 of general circulation in the various areas of the State to
28 ensure distribution statewide. The summary report must also
29 be published on the General Assembly's web site.

30 The requirement for reporting to the General Assembly
31 shall be satisfied by filing copies of the report with the
32 Speaker, the Minority Leader and the Clerk of the House of
33 Representatives and the President, the Minority Leader and
34 the Secretary of the Senate and the Legislative Research

1 Unit, as required by Section 3.1 of the General Assembly
2 Organization Act "~~An Act to revise the law in relation to the~~
3 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
4 and filing such additional copies with the State Government
5 Report Distribution Center for the General Assembly as is
6 required under paragraph (t) of Section 7 of the State
7 Library Act.

8 (Source: P.A. 92-67, eff. 7-12-01.)

9 (25 ILCS 155/4) (from Ch. 63, par. 344)

10 Sec. 4. (a) The Commission shall publish, at the
11 convening of each regular session of the General Assembly, a
12 report on the estimated income of the State from all
13 applicable revenue sources for the next ensuing fiscal year
14 and of any other funds estimated to be available for such
15 fiscal year. On the third Wednesday in March after the
16 session convenes, the Commission shall issue a revised and
17 updated set of revenue figures reflecting the latest
18 available information. The House and Senate by joint
19 resolution shall adopt or modify such estimates as may be
20 appropriate. The joint resolution shall constitute the
21 General Assembly's estimate, under paragraph (b) of Section 2
22 of Article VIII of the Constitution, of the funds estimated
23 to be available during the next fiscal year.

24 (b) On the third Wednesday in March, the Commission
25 shall issue estimated:

26 (1) pension funding requirements under P.A. 86-273;

27 and

28 (2) liabilities of the State employee group health
29 insurance program.

30 These estimated costs shall be for the fiscal year
31 beginning the following July 1.

32 (c) The requirement for reporting to the General
33 Assembly shall be satisfied by filing copies of the report

1 with the Speaker, the Minority Leader and the Clerk of the
2 House of Representatives and the President, the Minority
3 Leader and the Secretary of the Senate and the Legislative
4 Research unit, as required by Section 3.1 of the General
5 Assembly Organization Act "~~An Act to revise the law in~~
6 ~~relation to the General Assembly~~", approved February 25,
7 1874, as amended, and filing such additional copies with the
8 State Government Report Distribution Center for the General
9 Assembly as is required under paragraph (t) of Section 7 of
10 the State Library Act.

11 (Source: P.A. 87-1142.)

12 (25 ILCS 155/6.2) (from Ch. 63, par. 346.2)

13 Sec. 6.2. Short title. This Act shall be known and may be
14 cited as the Illinois Economic and Fiscal Commission Act.

15 (Source: P.A. 83-1257.)

16 Section 70. The State Finance Act is amended by adding
17 Sections 5.620 and 9b-5 as follows:

18 (30 ILCS 105/5.620 new)

19 Sec. 5.620. The Capitol Restoration Trust Fund.

20 (30 ILCS 105/9b-5 new)

21 Sec. 9b-5. Appropriations for capital projects.

22 (a) Notwithstanding any other law to the contrary, a
23 construction agency, as defined in the Illinois Procurement
24 Code, that has unobligated funds appropriated for capital
25 projects relating to the legislative complex that it will not
26 expend during the fiscal year may enter into an agreement
27 with the Architect of the Capitol for the expenditure of the
28 funds by the Architect of the Capitol on the improvement,
29 construction, historic preservation, restoration,
30 maintenance, repair, and landscaping of buildings and

1 facilities within the legislative complex, as defined in
2 Article 8A of the Legislative Commission Reorganization Act
3 of 1984, during the fiscal year, including any lapse period,
4 in which the funds were appropriated to the construction
5 agency. The Architect of the Capitol shall file copies of the
6 agreement with the State Comptroller and the State Treasurer.

7 (b) Funds subject to an agreement authorized by
8 subsection (a) are deemed to have been appropriated to the
9 Architect of the Capitol for the improvement, construction,
10 historic preservation, restoration, maintenance, repair, and
11 landscaping of buildings and facilities within the
12 legislative complex, as defined in Article 8A of the
13 Legislative Commission Reorganization Act of 1984, to the
14 same extent as if the Architect of the Capitol and that
15 purpose were specifically named in the appropriation law.

16 (30 ILCS 500/30-43 rep.)

17 Section 80. The Illinois Procurement Code is amended by
18 repealing Section 30-43.

19 Section 85. The State Mandates Act is amended by
20 changing Section 4 as follows:

21 (30 ILCS 805/4) (from Ch. 85, par. 2204)

22 Sec. 4. Collection and maintenance of information
23 concerning state mandates.

24 (a) The Department of Commerce and Economic Opportunity
25 Community--Affairs, hereafter referred to as the Department,
26 shall be responsible for:

27 (1) Collecting and maintaining information on State
28 mandates, including information required for effective
29 implementation of the provisions of this Act.

30 (2) Reviewing local government applications for
31 reimbursement submitted under this Act in cases in which

1 the General Assembly has appropriated funds to reimburse
2 local governments for costs associated with the
3 implementation of a State mandate. In cases in which
4 there is no appropriation for reimbursement, upon a
5 request for determination of a mandate by a unit of local
6 government, or more than one unit of local government
7 filing a single request, other than a school district or
8 a community college district, the Department shall
9 determine whether a Public Act constitutes a mandate and,
10 if so, the Statewide cost of implementation.

11 (3) Hearing complaints or suggestions from local
12 governments and other affected organizations as to
13 existing or proposed State mandates.

14 (4) Reporting each year to the Governor and the
15 General Assembly regarding the administration of
16 provisions of this Act and changes proposed to this Act.

17 The Legislative Research Unit Illinois--Commission-on
18 Intergovernmental-Cooperation shall conduct an-annual public
19 hearings as needed hearing to review the information
20 collected and the recommendations made by the Department
21 under this subsection (a). The Department shall cooperate
22 fully with the Legislative Research Unit Commission,
23 providing any information, supporting documentation and other
24 assistance required by the Legislative Research Unit
25 Commission to facilitate the conduct of the hearing.

26 (b) Within 2 years following the effective date of this
27 Act, the Department shall collect and tabulate relevant
28 information as to the nature and scope of each existing State
29 mandate, including but not necessarily limited to (i)
30 identity of type of local government and local government
31 agency or official to whom the mandate is directed; (ii)
32 whether or not an identifiable local direct cost is
33 necessitated by the mandate and the estimated annual amount;
34 (iii) extent of State financial participation, if any, in

1 meeting identifiable costs; (iv) State agency, if any,
2 charged with supervising the implementation of the mandate;
3 and (v) a brief description of the mandate and a citation of
4 its origin in statute or regulation.

5 (c) The resulting information from subsection (b) shall
6 be published in a catalog available to members of the General
7 Assembly, State and local officials, and interested citizens.
8 As new mandates are enacted they shall be added to the
9 catalog, and each January 31 the Department shall list each
10 new mandate enacted at the preceding session of the General
11 Assembly, and the estimated additional identifiable direct
12 costs, if any imposed upon local governments. A revised
13 version of the catalog shall be published every 2 years
14 beginning with the publication date of the first catalog.

15 (d) Failure of the General Assembly to appropriate
16 adequate funds for reimbursement as required by this Act
17 shall not relieve the Department of Commerce and Economic
18 Opportunity Community-Affairs from its obligations under this
19 Section.

20 (Source: P.A. 89-304, eff. 8-11-95; 90-372, eff. 7-1-98.)

21 Section 90. The Illinois Pension Code is amended by
22 changing Sections 3-109.3, 14-108.3, 15-158.3, 16-133.3,
23 22-803, 22-1001, 22-1002, and 22-1003 as follows:

24 (40 ILCS 5/3-109.3)

25 Sec. 3-109.3. Self-managed plan.

26 (a) Purpose. The General Assembly finds that it is
27 important for municipalities to be able to attract and retain
28 the most qualified police officers and that in order to
29 attract and retain these police officers, municipalities
30 should have the flexibility to provide a defined contribution
31 plan as an alternative for eligible employees who elect not
32 to participate in a defined benefit retirement program

1 provided under this Article. Accordingly, a self-managed
2 plan shall be provided, which shall offer participating
3 employees the opportunity to accumulate assets for retirement
4 through a combination of employee and employer contributions
5 that may be invested in mutual funds, collective investment
6 funds, or other investment products and used to purchase
7 annuity contracts, either fixed or variable, or a combination
8 thereof. The plan must be qualified under the Internal
9 Revenue Code of 1986.

10 (b) Study by Commission; Adoption of plan. The Illinois
11 Pension Laws Commission (or its successor, the Economic and
12 Fiscal Commission) shall study and evaluate the creation of a
13 statewide self-managed plan for eligible employees under this
14 Article. The Commission shall report its findings and
15 recommendations to the General Assembly no later than January
16 1, 2002.

17 In accordance with the recommendations of the Commission
18 and any action taken by the General Assembly in response to
19 those recommendations, a statewide self-managed plan shall be
20 adopted for eligible employees under this Article. The
21 self-managed plan shall take effect as specified in the plan,
22 but in no event earlier than July 1, 2002 or the date of its
23 approval by the U.S. Internal Revenue Service, whichever
24 occurs later.

25 The self-managed plan shall include a plan document and
26 shall provide for the adoption of such rules and procedures
27 as are necessary or desirable for the administration of the
28 self-managed plan. Consistent with fiduciary duty to the
29 participants and beneficiaries of the self-managed plan, it
30 may provide for delegation of suitable aspects of plan
31 administration to companies authorized to do business in this
32 State.

33 (c) Selection of service providers and funding vehicles.
34 The principal administrator of the self-managed plan shall

1 solicit proposals to provide administrative services and
2 funding vehicles for the self-managed plan from insurance and
3 annuity companies and mutual fund companies, banks, trust
4 companies, or other financial institutions authorized to do
5 business in this State. In reviewing the proposals received
6 and approving and contracting with no fewer than 2 and no
7 more than 7 companies, the principal administrator shall
8 consider, among other things, the following criteria:

9 (1) the nature and extent of the benefits that
10 would be provided to the participants;

11 (2) the reasonableness of the benefits in relation
12 to the premium charged;

13 (3) the suitability of the benefits to the needs
14 and interests of the participating employees and the
15 employer;

16 (4) the ability of the company to provide benefits
17 under the contract and the financial stability of the
18 company; and

19 (5) the efficacy of the contract in the recruitment
20 and retention of employees.

21 The principal administrator shall periodically review
22 each approved company. A company may continue to provide
23 administrative services and funding vehicles for the
24 self-managed plan only so long as it continues to be an
25 approved company under contract with the principal
26 administrator.

27 (d) Employee Direction. Employees who are participating
28 in the program must be allowed to direct the transfer of
29 their account balances among the various investment options
30 offered, subject to applicable contractual provisions. The
31 participant shall not be deemed a fiduciary by reason of
32 providing such investment direction. A person who is a
33 fiduciary shall not be liable for any loss resulting from
34 such investment direction and shall not be deemed to have

1 breached any fiduciary duty by acting in accordance with that
2 direction. The self-managed plan does not guarantee any of
3 the investments in the employee's account balances.

4 (e) Participation. An eligible employee must make a
5 written election in accordance with the provisions of Section
6 3-109.2 and the procedures established under the self-managed
7 plan. Participation in the self-managed plan by an eligible
8 employee who elects to participate in the self-managed plan
9 shall begin on the first day of the first pay period
10 following the later of the date the employee's election is
11 filed with the fund or the employer, but in no event sooner
12 than the effective date of the self-managed plan.

13 A police officer who has elected to participate in the
14 self-managed plan under this Section must continue
15 participation while employed in an eligible position, and may
16 not participate in any other retirement program administered
17 by the municipality while employed as a police officer by
18 that municipality. Participation in the self-managed plan
19 under this Section shall constitute membership in an Article
20 3 pension fund.

21 (f) No Duplication of Service Credit. Notwithstanding
22 any other provision of this Article, a police officer may not
23 purchase or receive service or service credit applicable to
24 any other retirement program administered by a fund under
25 this Article for any period during which the police officer
26 was a participant in the self-managed plan established under
27 this Section.

28 (g) Contributions. The self-managed plan shall be
29 funded by contributions from participants in the self-managed
30 plan and employer contributions as provided in this Section.

31 The contribution rate for a participant in the
32 self-managed plan under this Section shall be a minimum of
33 10% of his or her salary. This required contribution shall
34 be made as an "employer pick-up" under Section 414(h) of the

1 Internal Revenue Code of 1986 or any successor Section
2 thereof. An employee may make additional contributions to
3 the self-managed plan in accordance with the terms of the
4 plan.

5 The self-managed plan shall provide for employer
6 contributions to be credited to each self-managed plan
7 participant at a rate of 10% of the participating employee's
8 salary, less the amount of the employer contribution used to
9 provide disability benefits for the employee. The amounts so
10 credited shall be paid into the participant's self-managed
11 plan accounts in the manner prescribed by the plan.

12 An amount of employer contribution, not exceeding 1.5% of
13 the participating employee's salary, shall be used for the
14 purpose of providing disability benefits to the participating
15 employee. Prior to the beginning of each plan year under the
16 self-managed plan, the principal administrator shall
17 determine, as a percentage of salary, the amount of employer
18 contributions to be allocated during that plan year for
19 providing disability benefits for employees in the
20 self-managed plan.

21 (h) Vesting; Withdrawal; Return to Service. A
22 participant in the self-managed plan becomes fully vested in
23 the employer contributions credited to his or her account in
24 the self-managed plan on the earliest to occur of the
25 following:

26 (1) completion of 6 years of service with the
27 municipality; or

28 (2) the death of the participating employee while
29 employed by the municipality, if the participant has
30 completed at least 1.5 years of service.

31 A participant in the self-managed plan who receives a
32 distribution of his or her vested amounts from the
33 self-managed plan upon or after termination of employment
34 shall forfeit all service credit and accrued rights in the

1 fund of his or her employer; if subsequently re-employed, the
2 participant shall be considered a new employee. If a former
3 participant again becomes a participating employee and
4 continues as such for at least 2 years, all such rights,
5 service credit, and previous status as a participant shall be
6 restored upon repayment of the amount of the distribution
7 without interest.

8 (i) Benefit amounts. If a participating employee who is
9 fully vested in employer contributions terminates employment,
10 the participating employee shall be entitled to a benefit
11 which is based on the account values attributable to both
12 employer and employee contributions and any investment return
13 thereon.

14 If a participating employee who is not fully vested in
15 employer contributions terminates employment, the employee
16 shall be entitled to a benefit based on the account values
17 attributable to the employee's contributions and any
18 investment return thereon, plus the following percentage of
19 employer contributions and any investment return thereon: 20%
20 after the second year; 40% after the third year; 60% after
21 the fourth year; 80% after the fifth year; and 100% after the
22 sixth year. The remainder of employer contributions and
23 investment return thereon shall be forfeited. Any employer
24 contributions that are forfeited shall be held in escrow by
25 the company investing those contributions and shall be used
26 as directed by the municipality for future allocations of
27 employer contributions or for the restoration of amounts
28 previously forfeited by former participants who again become
29 participating employees.

30 (Source: P.A. 91-939, eff. 2-1-01.)

31 (40 ILCS 5/14-108.3)

32 Sec. 14-108.3. Early retirement incentives.

33 (a) To be eligible for the benefits provided in this

1 Section, a person must:

2 (1) be a member of this System who, on any day
3 during June, 2002, is (i) in active payroll status in a
4 position of employment with a department and an active
5 contributor to this System with respect to that
6 employment, and terminates that employment before the
7 retirement annuity under this Article begins, or (ii) on
8 layoff status from such a position with a right of
9 re-employment or recall to service, or (iii) receiving
10 benefits under Section 14-123, 14-123.1 or 14-124, but
11 only if the member has not been receiving those benefits
12 for a continuous period of more than 2 years as of the
13 date of application;

14 (2) not have received any retirement annuity under
15 this Article beginning earlier than August 1, 2002;

16 (3) file with the Board on or before December 31,
17 2002 a written application requesting the benefits
18 provided in this Section;

19 (4) terminate employment under this Article no
20 later than December 31, 2002 (or the date established
21 under subsection (d), if applicable);

22 (5) by the date of termination of service, have at
23 least 8 years of creditable service under this Article,
24 without the use of any creditable service established
25 under this Section;

26 (6) by the date of termination of service, have at
27 least 5 years of membership service earned while an
28 employee under this Article, which may include military
29 service for which credit is established under Section
30 14-105(b), service during the qualifying period for which
31 credit is established under Section 14-104(a), and
32 service for which credit has been established by repaying
33 a refund under Section 14-130, but shall not include
34 service for which any other optional service credit has

1 been established; and

2 (7) not receive any early retirement benefit under
3 Section 16-133.3 of this Code.

4 (b) An eligible person may establish up to 5 years of
5 creditable service under this Article, in increments of one
6 month, by making the contributions specified in subsection
7 (c). In addition, for each month of creditable service
8 established under this Section, a person's age at retirement
9 shall be deemed to be one month older than it actually is.

10 The creditable service established under this Section may
11 be used for all purposes under this Article and the
12 Retirement Systems Reciprocal Act, except for the computation
13 of final average compensation under Section 14-103.12 or the
14 determination of compensation under this or any other Article
15 of this Code.

16 The age enhancement established under this Section may
17 not be used to enable any person to begin receiving a
18 retirement annuity calculated under Section 14-110 before
19 actually attaining age 50 (without any age enhancement under
20 this Section). The age enhancement established under this
21 Section may be used for all other purposes under this Article
22 (including calculation of a proportionate annuity payable by
23 this System under the Retirement Systems Reciprocal Act),
24 except for purposes of the level income option in Section
25 14-112, the reversionary annuity under Section 14-113, and
26 the required distributions under Section 14-121.1.

27 The age enhancement established under this Section may be
28 used in determining benefits payable under Article 16 of this
29 Code under the Retirement Systems Reciprocal Act, if the
30 person has at least 5 years of service credit in the Article
31 16 system that was earned while participating in that system
32 as a teacher (as defined in Section 16-106) employed by a
33 department (as defined in Section 14-103.04). Age
34 enhancement established under this Section shall not

1 otherwise be used in determining benefits payable under other
2 Articles of this Code under the Retirement Systems Reciprocal
3 Act.

4 (c) For all creditable service established under this
5 Section, a person must pay to the System an employee
6 contribution to be determined by the System, based on the
7 member's rate of compensation on June 1, 2002 (or the last
8 date before June 1, 2002 for which a rate can be determined)
9 and the retirement contribution rate in effect on June 1,
10 2002 for the member (or for members with the same social
11 security and alternative formula status as the member).

12 If the member receives a lump sum payment for accumulated
13 vacation, sick leave and personal leave upon withdrawal from
14 service, and the net amount of that lump sum payment is at
15 least as great as the amount of the contribution required
16 under this Section, the entire contribution must be paid by
17 the employee by payroll deduction. If there is no such lump
18 sum payment, or if it is less than the contribution required
19 under this Section, the member shall make an initial payment
20 by payroll deduction, equal to the net amount of the lump sum
21 payment for accumulated vacation, sick leave, and personal
22 leave, and have the remaining amount due treated as a
23 reduction from the retirement annuity in 24 equal monthly
24 installments beginning in the month in which the retirement
25 annuity takes effect. The required contribution may be paid
26 as a pre-tax deduction from earnings. For federal and
27 Illinois tax purposes, the monthly amount by which the
28 annuitant's benefit is reduced shall not be treated as a
29 contribution by the annuitant, but rather as a reduction of
30 the annuitant's monthly benefit.

31 (c-5) The reduction in retirement annuity provided in
32 subsection (c) of Section 14-108 does not apply to the
33 annuity of a person who retires under this Section. A person
34 who has received any age enhancement or creditable service

1 under this Section may begin to receive an unreduced
2 retirement annuity upon attainment of age 55 with at least 25
3 years of creditable service (including any age enhancement
4 and creditable service established under this Section).

5 (d) In order to ensure that the efficient operation of
6 State government is not jeopardized by the simultaneous
7 retirement of large numbers of key personnel, the director or
8 other head of a department may, for key employees of that
9 department, extend the December 31, 2002 deadline for
10 terminating employment under this Article established in
11 subdivision (a)(4) of this Section to a date not later than
12 April 30, 2003 by so notifying the System in writing by
13 December 31, 2002.

14 (e) Notwithstanding Section 14-111, a person who has
15 received any age enhancement or creditable service under this
16 Section and who reenters service under this Article (or as an
17 employee of a department under Article 16) other than as a
18 temporary employee thereby forfeits that age enhancement and
19 creditable service and is entitled to a refund of the
20 contributions made pursuant to this Section.

21 (f) The System shall determine the amount of the
22 increase in unfunded accrued liability resulting from the
23 granting of early retirement incentives under this Section
24 and shall report that amount to the Governor and the Pension
25 Laws Commission (or its successor, the Economic and Fiscal
26 Commission) on or before November 15, 2003. The increase in
27 liability reported under this subsection (f) shall not be
28 included in the calculation of the required State
29 contribution under Section 14-131.

30 (g) The System shall determine the amount of the annual
31 State contribution necessary to amortize on a level
32 dollar-payment basis, over a period of 10 years at 8.5%
33 interest, compounded annually, an amount equal to the
34 increase in unfunded accrued liability determined under

1 subsection (f) minus \$70,000,000. The System shall certify
2 the amount of this annual State contribution to the Governor,
3 the State Comptroller, the Governor's Office of Management
4 and Budget (formerly Bureau of the Budget), and the Pension
5 Laws Commission (or its successor, the Economic and Fiscal
6 Commission) on or before November 15, 2003.

7 In addition to the contributions otherwise required under
8 this Article, the State shall appropriate and pay to the
9 System (1) an amount equal to \$70,000,000 in State fiscal
10 year 2004 and (2) in each of State fiscal years 2005 through
11 2013, an amount equal to the annual State contribution
12 certified by the System under this subsection (g).

13 (h) The Pension Laws Commission (or its successor, the
14 Economic and Fiscal Commission) shall determine and report to
15 the General Assembly, on or before January 1, 2004 and
16 annually thereafter through the year 2013, its estimate of
17 (1) the annual amount of payroll savings likely to be
18 realized by the State as a result of the early retirement of
19 persons receiving early retirement incentives under this
20 Section and (2) the net annual savings or cost to the State
21 from the program of early retirement incentives created under
22 this Section.

23 The System, the Department of Central Management
24 Services, the Governor's Office of Management and Budget
25 (formerly Bureau of the Budget), and all other departments
26 shall provide to the Commission any assistance that the
27 Commission may request with respect to its reports under this
28 Section. The Commission may require departments to provide
29 it with any information that it deems necessary or useful
30 with respect to its reports under this Section, including
31 without limitation information about (1) the final earnings
32 of former department employees who elected to receive
33 benefits under this Section, (2) the earnings of current
34 department employees holding the positions vacated by persons

1 who elected to receive benefits under this Section, and (3)
2 positions vacated by persons who elected to receive benefits
3 under this Section that have not yet been refilled.

4 (i) The changes made to this Section by this amendatory
5 Act of the 92nd General Assembly do not apply to persons who
6 retired under this Section on or before May 1, 1992.

7 (Source: P.A. 92-566, eff. 6-25-02; revised 8-23-03.)

8 (40 ILCS 5/15-158.3)

9 Sec. 15-158.3. Reports on cost reduction; effect on
10 retirement at any age with 30 years of service.

11 (a) On or before November 15, 2001 and on or before
12 November 15th of each year thereafter, the Board shall have
13 the System's actuary prepare a report showing, on a fiscal
14 year by fiscal year basis, the actual rate of participation
15 in the self-managed plan authorized by Section 15-158.2, (i)
16 by employees of the System's covered higher educational
17 institutions who were hired on or after the implementation
18 date of the self-managed plan and (ii) by other System
19 participants.

20 The actuary's report must also quantify the extent to
21 which employee optional retirement plan participation has
22 reduced the State's required contributions to the System,
23 expressed both in dollars and as a percentage of covered
24 payroll, in relation to what the State's contributions to the
25 System would have been (1) if the self-managed plan had not
26 been implemented, and (2) if 45% of employees of the System's
27 covered higher educational institutions who were hired on or
28 after the implementation date of the self-managed plan had
29 elected to participate in the self-managed plan and 10% of
30 other System participants had transferred to the self-managed
31 plan following its implementation.

32 (b) On or before November 15th of 2001 and on or before
33 November 15th of each year thereafter, the Illinois Board of

1 Higher Education, in conjunction with the
2 Bureau of the Budget (now Governor's Office of Management and
3 Budget) shall prepare a report showing, on a fiscal year by
4 fiscal year basis, the amount by which the costs associated
5 with compensable sick leave have been reduced as a result of
6 the termination of compensable sick leave accrual on and
7 after January 1, 1998 by employees of higher education
8 institutions who are participants in the System.

9 (c) On or before November 15 of 2001 and on or before
10 November 15th of each year thereafter, the Department of
11 Central Management Services shall prepare a report showing,
12 on a fiscal year by fiscal year basis, the amount by which
13 the State's cost for health insurance coverage under the
14 State Employees Group Insurance Act of 1971 for retirees of
15 the State's universities and their survivors has declined as
16 a result of requiring some of those retirees and survivors to
17 contribute to the cost of their basic health insurance.
18 These year-by-year reductions in cost must be quantified both
19 in dollars and as a level percentage of payroll covered by
20 the System.

21 (d) The reports required under subsections (a), (b), and
22 (c) shall be disseminated to the Board, the Pension Laws
23 Commission (until it ceases to exist), the Illinois Economic
24 and Fiscal Commission, the Illinois Board of Higher
25 Education, and the Governor.

26 (e) The reports required under subsections (a), (b), and
27 (c) shall be taken into account by the Pension Laws
28 Commission (or its successor, the Economic and Fiscal
29 Commission) in making any recommendation to extend by
30 legislation beyond December 31, 2002 the provision that
31 allows a System participant to retire at any age with 30 or
32 more years of service as authorized in Section 15-135. If
33 that provision is extended beyond December 31, 2002, and if
34 the most recent report under subsection (a) indicates that

1 actual State contributions to the System for the period
2 during which the self-managed plan has been in operation have
3 exceeded the projected State contributions under the
4 assumptions in clause (2) of subsection (a), then any
5 extension of the provision beyond December 31, 2002 must
6 require that the System's higher educational institutions and
7 agencies cover any funding deficiency through an annual
8 payment to the System out of appropriate resources of their
9 own.

10 (Source: P.A. 90-9, eff. 7-1-97; 90-766, eff. 8-14-98;
11 revised 8-23-03.)

12 (40 ILCS 5/16-133.3) (from Ch. 108 1/2, par. 16-133.3)
13 Sec. 16-133.3. Early retirement incentives for State
14 employees.

15 (a) To be eligible for the benefits provided in this
16 Section, a person must:

17 (1) be a member of this System who, on any day
18 during June, 2002, is (i) in active payroll status as a
19 full-time teacher employed by a department and an active
20 contributor to this System with respect to that
21 employment, or (ii) on layoff status from such a position
22 with a right of re-employment or recall to service, or
23 (iii) receiving a disability benefit under Section 16-149
24 or 16-149.1, but only if the member has not been
25 receiving that benefit for a continuous period of more
26 than 2 years as of the date of application;

27 (2) not have received any retirement annuity under
28 this Article beginning earlier than August 1, 2002;

29 (3) file with the Board on or before December 31,
30 2002 a written application requesting the benefits
31 provided in this Section;

32 (4) terminate employment under this Article no
33 later than December 31, 2002 (or the date established

1 under subsection (d), if applicable);

2 (5) by the date of termination of service, have at
3 least 8 years of creditable service under this Article,
4 without the use of any creditable service established
5 under this Section;

6 (6) by the date of termination of service, have at
7 least 5 years of service credit earned while
8 participating in the System as a teacher employed by a
9 department; and

10 (7) not receive any early retirement benefit under
11 Section 14-108.3 of this Code.

12 For the purposes of this Section, "department" means a
13 department as defined in Section 14-103.04 that employs a
14 teacher as defined in this Article.

15 (b) An eligible person may establish up to 5 years of
16 creditable service under this Article by making the
17 contributions specified in subsection (c). In addition, for
18 each period of creditable service established under this
19 Section, a person's age at retirement shall be deemed to be
20 enhanced by an equivalent period.

21 The creditable service established under this Section may
22 be used for all purposes under this Article and the
23 Retirement Systems Reciprocal Act, except for the computation
24 of final average salary, the determination of salary or
25 compensation under this Article or any other Article of this
26 Code, or the determination of eligibility for or the
27 computation of benefits under Section 16-133.2.

28 The age enhancement established under this Section may be
29 used for all purposes under this Article (including
30 calculation of a proportionate annuity payable by this System
31 under the Retirement Systems Reciprocal Act), except for
32 purposes of a retirement annuity under Section 16-133(a)(A),
33 a reversionary annuity under Section 16-136, the required
34 distributions under Section 16-142.3, and the determination

1 of eligibility for or the computation of benefits under
2 Section 16-133.2. Age enhancement established under this
3 Section may be used in determining benefits payable under
4 Article 14 of this Code under the Retirement Systems
5 Reciprocal Act (subject to the limitations on the use of age
6 enhancement provided in Section 14-108.3); age enhancement
7 established under this Section shall not be used in
8 determining benefits payable under other Articles of this
9 Code under the Retirement Systems Reciprocal Act.

10 (c) For all creditable service established under this
11 Section, a person must pay to the System an employee
12 contribution to be determined by the System, equal to 9.0% of
13 the member's highest annual salary rate that would be used in
14 the determination of the average salary for retirement
15 annuity purposes if the member retired immediately after
16 withdrawal, for each year of creditable service established
17 under this Section.

18 If the member receives a lump sum payment for accumulated
19 vacation, sick leave, and personal leave upon withdrawal from
20 service, and the net amount of that lump sum payment is at
21 least as great as the amount of the contribution required
22 under this Section, the entire contribution must be paid by
23 the employee by payroll deduction. If there is no such lump
24 sum payment, or if it is less than the contribution required
25 under this Section, the member shall make an initial payment
26 by payroll deduction, equal to the net amount of the lump sum
27 payment for accumulated vacation, sick leave, and personal
28 leave, and have the remaining amount due treated as a
29 reduction from the retirement annuity in 24 equal monthly
30 installments beginning in the month in which the retirement
31 annuity takes effect. The required contribution may be paid
32 as a pre-tax deduction from earnings.

33 (d) In order to ensure that the efficient operation of
34 State government is not jeopardized by the simultaneous

1 retirement of large numbers of key personnel, the director or
2 other head of a department may, for key employees of that
3 department, extend the December 31, 2002 deadline for
4 terminating employment under this Article established in
5 subdivision (a)(4) of this Section to a date not later than
6 April 30, 2003 by so notifying the System in writing by
7 December 31, 2002.

8 (e) A person who has received any age enhancement or
9 creditable service under this Section and who reenters
10 contributing service under this Article or Article 14 shall
11 thereby forfeit that age enhancement and creditable service,
12 and become entitled to a refund of the contributions made
13 pursuant to this Section.

14 (f) The System shall determine the amount of the
15 increase in unfunded accrued liability resulting from the
16 granting of early retirement incentives under this Section
17 and shall report that amount to the Governor and the Pension
18 Laws Commission (or its successor, the Economic and Fiscal
19 Commission) on or before November 15, 2003. The increase in
20 liability reported under this subsection (f) shall not be
21 included in the calculation of the required State
22 contribution under Section 16-158.

23 (g) The System shall determine the amount of the annual
24 State contribution necessary to amortize on a level
25 dollar-payment basis, over a period of 10 years at 8.5%
26 interest, compounded annually, an amount equal to the
27 increase in unfunded accrued liability determined under
28 subsection (f) minus \$1,000,000. The System shall certify
29 the amount of this annual State contribution to the Governor,
30 the State Comptroller, the Governor's Office of Management
31 and Budget (formerly Bureau of the Budget), and the Pension
32 Laws Commission (or its successor, the Economic and Fiscal
33 Commission) on or before November 15, 2003.

34 In addition to the contributions otherwise required under

1 this Article, the State shall appropriate and pay to the
2 System (1) an amount equal to \$1,000,000 in State fiscal year
3 2004 and (2) in each of State fiscal years 2005 through 2013,
4 an amount equal to the annual State contribution certified by
5 the System under this subsection (g).

6 (h) The Pension Laws Commission (or its successor, the
7 Economic and Fiscal Commission) shall determine and report to
8 the General Assembly, on or before January 1, 2004 and
9 annually thereafter through the year 2013, its estimate of
10 (1) the annual amount of payroll savings likely to be
11 realized by the State as a result of the early retirement of
12 persons receiving early retirement incentives under this
13 Section and (2) the net annual savings or cost to the State
14 from the program of early retirement incentives created under
15 this Section.

16 The System, the Department of Central Management
17 Services, the Governor's Office of Management and Budget
18 (formerly Bureau of the Budget), and all other departments
19 shall provide to the Commission any assistance that the
20 Commission may request with respect to its reports under this
21 Section. The Commission may require departments to provide
22 it with any information that it deems necessary or useful
23 with respect to its reports under this Section, including
24 without limitation information about (1) the final earnings
25 of former department employees who elected to receive
26 benefits under this Section, (2) the earnings of current
27 department employees holding the positions vacated by persons
28 who elected to receive benefits under this Section, and (3)
29 positions vacated by persons who elected to receive benefits
30 under this Section that have not yet been refilled.

31 (i) The changes made to this Section by this amendatory
32 Act of the 92nd General Assembly do not apply to persons who
33 retired under this Section on or before May 1, 1992.

34 (Source: P.A. 92-566, eff. 6-25-02; revised 8-23-03.)

1 (40 ILCS 5/22-803)

2 Sec. 22-803. Economic and Fiscal Pension-Laws Commission.

3 The Illinois State Board of Investment and all pension funds
4 and retirement systems subject to this Code shall cooperate
5 with the Economic and Fiscal Pension-Laws Commission and
6 shall upon request provide the Commission with such
7 information and other assistance as it may find necessary or
8 useful for the performance of its duties.

9 (Source: P.A. 89-113, eff. 7-7-95.)

10 (40 ILCS 5/22-1001) (from Ch. 108 1/2, par. 22-1001)

11 Sec. 22-1001. Submission of information. By March 1 of
12 each year, the retirement systems created under Articles 2,
13 14, 15, 16 and 18 of this Code shall each submit the
14 following information to the Economic and Fiscal Pension-Laws
15 Commission:

16 (1) the most recent actuarial valuation computed using
17 the projected unit credit actuarial cost method for
18 retirement and ancillary benefits.

19 (2) a full disclosure of the provisions of the plan;
20 economic, mortality, termination, and demographic assumptions
21 used for the valuation; methods used to determine the
22 actuarial values; the impact of significant changes in the
23 actuarial assumptions and methods; the most recent experience
24 review; and other information affecting the plan's actuarial
25 status.

26 (3) the State's share of the amount necessary to fund
27 the normal cost plus interest on the unfunded accrued
28 liability for the next fiscal year as determined by the
29 projected unit credit computations.

30 (4) a five-year history of the system's liabilities,
31 assets (valued at cost), and unfunded liabilities.

32 (5) the July 1 market value of system assets and a
33 five-year history of annual and annualized investment returns

1 of the system's total portfolio and each segment of the
2 portfolio; and

3 (6) measures of financial status, including ten-year
4 trends of: unfunded liabilities, funded ratios, quick
5 liability ratios, current reserves, and other solvency tests
6 requested by the Commission.

7 For plan years ending prior to December 31, 1984, the
8 historical data submitted by the retirement systems pursuant
9 to items (4) and (6) above may be based on a cost method
10 other than the projected unit credit actuarial cost method.
11 In submitting the data, the retirement systems shall specify
12 the method used.

13 (Source: P.A. 89-113, eff. 7-7-95.)

14 (40 ILCS 5/22-1002) (from Ch. 108 1/2, par. 22-1002)

15 Sec. 22-1002. Within 3 days of the Governor's submission
16 of the State Budget, the Director of the Governor's Office of
17 Management and Budget ~~Bureau-of-the-Budget~~ shall provide the
18 Illinois Economic and Fiscal Commission ~~and-the-Pension-Laws~~
19 ~~Commission~~ with the recommendations for budgeted annual
20 appropriations for each system as specified in the Governor's
21 budget recommendations.

22 (Source: P.A. 89-113, eff. 7-7-95; revised 8-23-03.)

23 (40 ILCS 5/22-1003) (from Ch. 108 1/2, par. 22-1003)

24 Sec. 22-1003. The Economic and Fiscal ~~Pension-Laws~~
25 Commission shall receive the information specified in Section
26 22-1001 and Section 22-1002 of this Act. Commission staff
27 shall examine the information and submit a report of the
28 analysis thereof to the General Assembly. The report shall
29 also include either an analysis of the effect of the
30 different economic assumptions used by the 5 systems, or
31 supplemental valuations using the same economic assumptions
32 for all 5 systems. The Commission shall compare (1) each

1 system's required actuarial funding computed using the
2 projected unit credit actuarial cost method, and (2) the
3 required State contribution levels established by Public Act
4 88-593. The report shall also identify the amount of the
5 required funding for each system expected to come from (i)
6 budgeted annual appropriations and (ii) continuing
7 appropriations under the State Pension Funds Continuing
8 Appropriation Act.

9 The Commission shall also compute multiple year
10 projections showing the effect on system liabilities and the
11 State's annual cost (1) if the systems were to be funded
12 according to actuarial recommendations that the Commission
13 deems reasonable, (2) if each system were to be funded
14 according to recommendations made by the system's actuary,
15 and (3) if the systems were to be funded according to the
16 required State contribution levels established by Public Act
17 88-593; including (i) comparisons of State costs with
18 projected benefit payments, payroll, and the general funds
19 budget, and (ii) comparisons of unfunded liabilities, funded
20 ratios, solvency tests, and projected reserves. The
21 Commission may conduct additional analyses and projections as
22 it deems useful.

23 (Source: P.A. 89-113, eff. 7-7-95.)

24 Section 95. The Midwestern Higher Education Compact Act
25 is amended by changing Section 2a as follows:

26 (45 ILCS 155/2a) (from Ch. 144, par. 2803)

27 Sec. 2a. The Legislative Research Unit Illinois
28 ~~Commission--on--Intergovernmental--Cooperation~~ in order to
29 ensure the purposes of this Act as determined by Section 1,
30 shall in January of 1993 and each January thereafter report
31 to the Governor and General Assembly. This report shall
32 contain a program evaluation and recommendations as to the

1 advisability of the continued participation of Illinois in
2 the Midwestern Higher Education Compact.

3 (Source: P.A. 87-147.)

4 Section 100. The Quad Cities Regional Economic
5 Development Authority Act, approved September 22, 1987, is
6 amended by changing Section 6 as follows:

7 (70 ILCS 510/6) (from Ch. 85, par. 6206)

8 Sec. 6. Records and Reports of the Authority. The
9 secretary shall keep a record of the proceedings of the
10 Authority. The treasurer of the Authority shall be custodian
11 of all Authority funds, and shall be bonded in such amount as
12 the other members of the Authority may designate. The
13 accounts and bonds of the Authority shall be set up and
14 maintained in a manner approved by the Auditor General, and
15 the Authority shall file with the Auditor General a certified
16 annual report within 120 days after the close of its fiscal
17 year. The Authority shall also file with the Governor, the
18 Secretary of the Senate, the Clerk of the House of
19 Representatives, and the Legislative Research Unit Illinois
20 ~~Commission--on--Intergovernmental--Cooperation~~, by March 1 of
21 each year, a written report covering its activities and any
22 activities of any instrumentality corporation established
23 pursuant to this Act for the previous fiscal year. In its
24 report to be filed by March 1, 1988, the Authority shall
25 present an economic development strategy for the Quad Cities
26 region for the year beginning July 1, 1988 and for the 4
27 years next ensuing. In each annual report thereafter, the
28 Authority shall make modifications in such economic
29 development strategy for the 4 years beginning on the next
30 ensuing July 1, to reflect changes in economic conditions or
31 other factors, including the policies of the Authority and
32 the State of Illinois. It also shall present an economic

1 development strategy for the fifth year beginning after the
2 next ensuing July 1. The strategy shall recommend specific
3 legislative and administrative action by the State, the
4 Authority, units of local government or other governmental
5 agencies. Such recommendations may include, but are not
6 limited to, new programs, modifications to existing programs,
7 credit enhancements for bonds issued by the Authority, and
8 amendments to this Act. When filed, such report shall be a
9 public record and open for inspection at the offices of the
10 Authority during normal business hours.

11 (Source: P.A. 85-713.)

12 Section 105. The Quad Cities Regional Economic
13 Development Authority Act, certified December 30, 1987, is
14 amended by changing Section 6 as follows:

15 (70 ILCS 515/6) (from Ch. 85, par. 6506)

16 Sec. 6. Records and Reports of the Authority. The
17 secretary shall keep a record of the proceedings of the
18 Authority. The treasurer of the Authority shall be custodian
19 of all Authority funds, and shall be bonded in such amount as
20 the other members of the Authority may designate. The
21 accounts and bonds of the Authority shall be set up and
22 maintained in a manner approved by the Auditor General, and
23 the Authority shall file with the Auditor General a certified
24 annual report within 120 days after the close of its fiscal
25 year. The Authority shall also file with the Governor, the
26 Secretary of the Senate, the Clerk of the House of
27 Representatives, and the Legislative Research Unit Illinois
28 ~~Commission-on-Intergovernmental-Cooperation~~, by March 1 of
29 each year, a written report covering its activities and any
30 activities of any instrumentality corporation established
31 pursuant to this Act for the previous fiscal year. In its
32 report to be filed by March 1, 1988, the Authority shall

1 present an economic development strategy for the Quad Cities
2 region for the year beginning July 1, 1988 and for the 4
3 years next ensuing. In each annual report thereafter, the
4 Authority shall make modifications in such economic
5 development strategy for the 4 years beginning on the next
6 ensuing July 1, to reflect changes in economic conditions or
7 other factors, including the policies of the Authority and
8 the State of Illinois. It also shall present an economic
9 development strategy for the fifth year beginning after the
10 next ensuing July 1. The strategy shall recommend specific
11 legislative and administrative action by the State, the
12 Authority, units of local government or other governmental
13 agencies. Such recommendations may include, but are not
14 limited to, new programs, modifications to existing programs,
15 credit enhancements for bonds issued by the Authority, and
16 amendments to this Act. When filed, such report shall be a
17 public record and open for inspection at the offices of the
18 Authority during normal business hours.

19 (Source: P.A. 85-988.)

20 Section 110. The Illinois Public Aid Code is amended by
21 changing Sections 3-13, 5-5, 5-5.5, 5-15, 9-6.1, 9-8, 11-5,
22 12-4.30, 12-5, and 12-8 as follows:

23 (305 ILCS 5/3-13) (from Ch. 23, par. 3-13)

24 Sec. 3-13. Federal program - Declaration of
25 responsibilities: It is the position of this State that the
26 Federal Government should meet its obligation to provide
27 financial aid to those aged, blind or disabled persons
28 eligible under Article III hereof so as to assure those
29 persons a standard of living compatible with health and
30 well-being, including any supplementary aid program provided
31 to meet special or emergency needs, and it is the position of
32 this State that the Federal Government should meet its

1 obligation to provide continuing supplemental nutritional aid
2 for such persons through the Federal Food Stamp Program or
3 through full reimbursement for expenditures made in lieu of
4 such Food Stamp Program.

5 (a) The Illinois Department may, from federal
6 reimbursements received under this Section, make
7 disbursements to any attorney, or advocate working under the
8 supervision of an attorney, who represents a recipient of
9 assistance under Article VI of this Code in a program
10 administered by the Illinois Department, in an appeal of any
11 claim for federal Supplemental Security Income benefits
12 before an administrative law judge which is decided in favor
13 of such recipient. The amount of such disbursement shall be
14 equal to 25% of the maximum federal Supplemental Security
15 Income grant payable to an individual for a period of one
16 year. No such disbursement shall be made unless a petition
17 and a copy of the favorable decision is submitted by such
18 attorney or advocate to the Illinois Department within 60
19 days of the date of such decision. The disbursement shall be
20 made within 30 days after the petition is received. The
21 Illinois Department shall promulgate rules and regulations
22 necessary to implement this subsection.

23 (b) The Illinois Department shall institute a State
24 program to fully supplement the federal Supplemental Security
25 Income grants of all persons in the aged, blind, or disabled
26 categories who meet the eligibility and need requirements of
27 this Code~~7--after--having--given--prior--notice--to--and--having~~
28 ~~consulted-with-the-Citizens-Assembly/Council--on--Public--Aid~~
29 ~~under--the--procedures-established-by-Section-12-4-11-hereof.~~
30 The amount or amounts of such supplementary payments shall be
31 established by the Director of the Illinois Department in a
32 manner consistent with the other provisions of this Article
33 III.

34 (c) The Illinois Department, the Comptroller and the

1 Treasurer, are authorized to disburse to the Federal
2 Government amounts appropriated to the Illinois Department
3 for use in furnishing aid to persons eligible under Article
4 III of this Code, to receive reimbursements from the Federal
5 Government therefor, and to establish administrative
6 procedures necessary for the accomplishment of such a payment
7 system.

8 (Source: P.A. 89-21, eff. 7-1-95.)

9 (305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

10 Sec. 5-5. Medical services. The Illinois Department, by
11 rule, shall determine the quantity and quality of and the
12 rate of reimbursement for the medical assistance for which
13 payment will be authorized, and the medical services to be
14 provided, which may include all or part of the following: (1)
15 inpatient hospital services; (2) outpatient hospital
16 services; (3) other laboratory and X-ray services; (4)
17 skilled nursing home services; (5) physicians' services
18 whether furnished in the office, the patient's home, a
19 hospital, a skilled nursing home, or elsewhere; (6) medical
20 care, or any other type of remedial care furnished by
21 licensed practitioners; (7) home health care services; (8)
22 private duty nursing service; (9) clinic services; (10)
23 dental services; (11) physical therapy and related services;
24 (12) prescribed drugs, dentures, and prosthetic devices; and
25 eyeglasses prescribed by a physician skilled in the diseases
26 of the eye, or by an optometrist, whichever the person may
27 select; (13) other diagnostic, screening, preventive, and
28 rehabilitative services; (14) transportation and such other
29 expenses as may be necessary; (15) medical treatment of
30 sexual assault survivors, as defined in Section 1a of the
31 Sexual Assault Survivors Emergency Treatment Act, for
32 injuries sustained as a result of the sexual assault,
33 including examinations and laboratory tests to discover

1 evidence which may be used in criminal proceedings arising
2 from the sexual assault; (16) the diagnosis and treatment of
3 sickle cell anemia; and (17) any other medical care, and any
4 other type of remedial care recognized under the laws of this
5 State, but not including abortions, or induced miscarriages
6 or premature births, unless, in the opinion of a physician,
7 such procedures are necessary for the preservation of the
8 life of the woman seeking such treatment, or except an
9 induced premature birth intended to produce a live viable
10 child and such procedure is necessary for the health of the
11 mother or her unborn child. The Illinois Department, by rule,
12 shall prohibit any physician from providing medical
13 assistance to anyone eligible therefor under this Code where
14 such physician has been found guilty of performing an
15 abortion procedure in a wilful and wanton manner upon a woman
16 who was not pregnant at the time such abortion procedure was
17 performed. The term "any other type of remedial care" shall
18 include nursing care and nursing home service for persons who
19 rely on treatment by spiritual means alone through prayer for
20 healing.

21 Notwithstanding any other provision of this Section, a
22 comprehensive tobacco use cessation program that includes
23 purchasing prescription drugs or prescription medical devices
24 approved by the Food and Drug administration shall be covered
25 under the medical assistance program under this Article for
26 persons who are otherwise eligible for assistance under this
27 Article.

28 Notwithstanding any other provision of this Code, the
29 Illinois Department may not require, as a condition of
30 payment for any laboratory test authorized under this
31 Article, that a physician's handwritten signature appear on
32 the laboratory test order form. The Illinois Department may,
33 however, impose other appropriate requirements regarding
34 laboratory test order documentation.

1 The Illinois Department of Public Aid shall provide the
2 following services to persons eligible for assistance under
3 this Article who are participating in education, training or
4 employment programs operated by the Department of Human
5 Services as successor to the Department of Public Aid:

6 (1) dental services, which shall include but not be
7 limited to prosthodontics; and

8 (2) eyeglasses prescribed by a physician skilled in
9 the diseases of the eye, or by an optometrist, whichever
10 the person may select.

11 The Illinois Department, by rule, may distinguish and
12 classify the medical services to be provided only in
13 accordance with the classes of persons designated in Section
14 5-2.

15 The Illinois Department shall authorize the provision of,
16 and shall authorize payment for, screening by low-dose
17 mammography for the presence of occult breast cancer for
18 women 35 years of age or older who are eligible for medical
19 assistance under this Article, as follows: a baseline
20 mammogram for women 35 to 39 years of age and an annual
21 mammogram for women 40 years of age or older. All screenings
22 shall include a physical breast exam, instruction on
23 self-examination and information regarding the frequency of
24 self-examination and its value as a preventative tool. As
25 used in this Section, "low-dose mammography" means the x-ray
26 examination of the breast using equipment dedicated
27 specifically for mammography, including the x-ray tube,
28 filter, compression device, image receptor, and cassettes,
29 with an average radiation exposure delivery of less than one
30 rad mid-breast, with 2 views for each breast.

31 Any medical or health care provider shall immediately
32 recommend, to any pregnant woman who is being provided
33 prenatal services and is suspected of drug abuse or is
34 addicted as defined in the Alcoholism and Other Drug Abuse

1 and Dependency Act, referral to a local substance abuse
2 treatment provider licensed by the Department of Human
3 Services or to a licensed hospital which provides substance
4 abuse treatment services. The Department of Public Aid shall
5 assure coverage for the cost of treatment of the drug abuse
6 or addiction for pregnant recipients in accordance with the
7 Illinois Medicaid Program in conjunction with the Department
8 of Human Services.

9 All medical providers providing medical assistance to
10 pregnant women under this Code shall receive information from
11 the Department on the availability of services under the Drug
12 Free Families with a Future or any comparable program
13 providing case management services for addicted women,
14 including information on appropriate referrals for other
15 social services that may be needed by addicted women in
16 addition to treatment for addiction.

17 The Illinois Department, in cooperation with the
18 Departments of Human Services (as successor to the Department
19 of Alcoholism and Substance Abuse) and Public Health, through
20 a public awareness campaign, may provide information
21 concerning treatment for alcoholism and drug abuse and
22 addiction, prenatal health care, and other pertinent programs
23 directed at reducing the number of drug-affected infants born
24 to recipients of medical assistance.

25 Neither the Illinois Department of Public Aid nor the
26 Department of Human Services shall sanction the recipient
27 solely on the basis of her substance abuse.

28 The Illinois Department shall establish such regulations
29 governing the dispensing of health services under this
30 Article as it shall deem appropriate. ~~In--formulating--these~~
31 ~~regulations--the--Illinois--Department--shall--consult--with--and~~
32 ~~give--substantial--weight--to--the--recommendations--offered--by--the~~
33 ~~Citizens--Assembly/Council--on--Public--Aid.~~ The Department
34 should seek the advice of formal professional advisory

1 committees appointed by the Director of the Illinois
2 Department for the purpose of providing regular advice on
3 policy and administrative matters, information dissemination
4 and educational activities for medical and health care
5 providers, and consistency in procedures to the Illinois
6 Department.

7 The Illinois Department may develop and contract with
8 Partnerships of medical providers to arrange medical services
9 for persons eligible under Section 5-2 of this Code.
10 Implementation of this Section may be by demonstration
11 projects in certain geographic areas. The Partnership shall
12 be represented by a sponsor organization. The Department, by
13 rule, shall develop qualifications for sponsors of
14 Partnerships. Nothing in this Section shall be construed to
15 require that the sponsor organization be a medical
16 organization.

17 The sponsor must negotiate formal written contracts with
18 medical providers for physician services, inpatient and
19 outpatient hospital care, home health services, treatment for
20 alcoholism and substance abuse, and other services determined
21 necessary by the Illinois Department by rule for delivery by
22 Partnerships. Physician services must include prenatal and
23 obstetrical care. The Illinois Department shall reimburse
24 medical services delivered by Partnership providers to
25 clients in target areas according to provisions of this
26 Article and the Illinois Health Finance Reform Act, except
27 that:

28 (1) Physicians participating in a Partnership and
29 providing certain services, which shall be determined by
30 the Illinois Department, to persons in areas covered by
31 the Partnership may receive an additional surcharge for
32 such services.

33 (2) The Department may elect to consider and
34 negotiate financial incentives to encourage the

1 development of Partnerships and the efficient delivery of
2 medical care.

3 (3) Persons receiving medical services through
4 Partnerships may receive medical and case management
5 services above the level usually offered through the
6 medical assistance program.

7 Medical providers shall be required to meet certain
8 qualifications to participate in Partnerships to ensure the
9 delivery of high quality medical services. These
10 qualifications shall be determined by rule of the Illinois
11 Department and may be higher than qualifications for
12 participation in the medical assistance program. Partnership
13 sponsors may prescribe reasonable additional qualifications
14 for participation by medical providers, only with the prior
15 written approval of the Illinois Department.

16 Nothing in this Section shall limit the free choice of
17 practitioners, hospitals, and other providers of medical
18 services by clients. In order to ensure patient freedom of
19 choice, the Illinois Department shall immediately promulgate
20 all rules and take all other necessary actions so that
21 provided services may be accessed from therapeutically
22 certified optometrists to the full extent of the Illinois
23 Optometric Practice Act of 1987 without discriminating
24 between service providers.

25 The Department shall apply for a waiver from the United
26 States Health Care Financing Administration to allow for the
27 implementation of Partnerships under this Section.

28 The Illinois Department shall require health care
29 providers to maintain records that document the medical care
30 and services provided to recipients of Medical Assistance
31 under this Article. The Illinois Department shall require
32 health care providers to make available, when authorized by
33 the patient, in writing, the medical records in a timely
34 fashion to other health care providers who are treating or

1 serving persons eligible for Medical Assistance under this
2 Article. All dispensers of medical services shall be
3 required to maintain and retain business and professional
4 records sufficient to fully and accurately document the
5 nature, scope, details and receipt of the health care
6 provided to persons eligible for medical assistance under
7 this Code, in accordance with regulations promulgated by the
8 Illinois Department. The rules and regulations shall require
9 that proof of the receipt of prescription drugs, dentures,
10 prosthetic devices and eyeglasses by eligible persons under
11 this Section accompany each claim for reimbursement submitted
12 by the dispenser of such medical services. No such claims for
13 reimbursement shall be approved for payment by the Illinois
14 Department without such proof of receipt, unless the Illinois
15 Department shall have put into effect and shall be operating
16 a system of post-payment audit and review which shall, on a
17 sampling basis, be deemed adequate by the Illinois Department
18 to assure that such drugs, dentures, prosthetic devices and
19 eyeglasses for which payment is being made are actually being
20 received by eligible recipients. Within 90 days after the
21 effective date of this amendatory Act of 1984, the Illinois
22 Department shall establish a current list of acquisition
23 costs for all prosthetic devices and any other items
24 recognized as medical equipment and supplies reimbursable
25 under this Article and shall update such list on a quarterly
26 basis, except that the acquisition costs of all prescription
27 drugs shall be updated no less frequently than every 30 days
28 as required by Section 5-5.12.

29 The rules and regulations of the Illinois Department
30 shall require that a written statement including the required
31 opinion of a physician shall accompany any claim for
32 reimbursement for abortions, or induced miscarriages or
33 premature births. This statement shall indicate what
34 procedures were used in providing such medical services.

1 The Illinois Department shall require all dispensers of
2 medical services, other than an individual practitioner or
3 group of practitioners, desiring to participate in the
4 Medical Assistance program established under this Article to
5 disclose all financial, beneficial, ownership, equity, surety
6 or other interests in any and all firms, corporations,
7 partnerships, associations, business enterprises, joint
8 ventures, agencies, institutions or other legal entities
9 providing any form of health care services in this State
10 under this Article.

11 The Illinois Department may require that all dispensers
12 of medical services desiring to participate in the medical
13 assistance program established under this Article disclose,
14 under such terms and conditions as the Illinois Department
15 may by rule establish, all inquiries from clients and
16 attorneys regarding medical bills paid by the Illinois
17 Department, which inquiries could indicate potential
18 existence of claims or liens for the Illinois Department.

19 Enrollment of a vendor that provides non-emergency
20 medical transportation, defined by the Department by rule,
21 shall be conditional for 180 days. During that time, the
22 Department of Public Aid may terminate the vendor's
23 eligibility to participate in the medical assistance program
24 without cause. That termination of eligibility is not
25 subject to the Department's hearing process.

26 The Illinois Department shall establish policies,
27 procedures, standards and criteria by rule for the
28 acquisition, repair and replacement of orthotic and
29 prosthetic devices and durable medical equipment. Such rules
30 shall provide, but not be limited to, the following services:
31 (1) immediate repair or replacement of such devices by
32 recipients without medical authorization; and (2) rental,
33 lease, purchase or lease-purchase of durable medical
34 equipment in a cost-effective manner, taking into

1 consideration the recipient's medical prognosis, the extent
2 of the recipient's needs, and the requirements and costs for
3 maintaining such equipment. Such rules shall enable a
4 recipient to temporarily acquire and use alternative or
5 substitute devices or equipment pending repairs or
6 replacements of any device or equipment previously authorized
7 for such recipient by the Department. Rules under clause (2)
8 above shall not provide for purchase or lease-purchase of
9 durable medical equipment or supplies used for the purpose of
10 oxygen delivery and respiratory care.

11 The Department shall execute, relative to the nursing
12 home prescreening project, written inter-agency agreements
13 with the Department of Human Services and the Department on
14 Aging, to effect the following: (i) intake procedures and
15 common eligibility criteria for those persons who are
16 receiving non-institutional services; and (ii) the
17 establishment and development of non-institutional services
18 in areas of the State where they are not currently available
19 or are undeveloped.

20 The Illinois Department shall develop and operate, in
21 cooperation with other State Departments and agencies and in
22 compliance with applicable federal laws and regulations,
23 appropriate and effective systems of health care evaluation
24 and programs for monitoring of utilization of health care
25 services and facilities, as it affects persons eligible for
26 medical assistance under this Code. ~~The Illinois Department
27 shall report regularly the results of the operation of such
28 systems and programs to the Citizens Assembly/Council on
29 Public Aid to enable the Committee to ensure, from time to
30 time, that these programs are effective and meaningful.~~

31 The Illinois Department shall report annually to the
32 General Assembly, no later than the second Friday in April of
33 1979 and each year thereafter, in regard to:

34 (a) actual statistics and trends in utilization of

1 medical services by public aid recipients;

2 (b) actual statistics and trends in the provision
3 of the various medical services by medical vendors;

4 (c) current rate structures and proposed changes in
5 those rate structures for the various medical vendors;
6 and

7 (d) efforts at utilization review and control by
8 the Illinois Department.

9 The period covered by each report shall be the 3 years
10 ending on the June 30 prior to the report. The report shall
11 include suggested legislation for consideration by the
12 General Assembly. The filing of one copy of the report with
13 the Speaker, one copy with the Minority Leader and one copy
14 with the Clerk of the House of Representatives, one copy with
15 the President, one copy with the Minority Leader and one copy
16 with the Secretary of the Senate, one copy with the
17 Legislative Research Unit, and such additional copies with
18 the State Government Report Distribution Center for the
19 General Assembly as is required under paragraph (t) of
20 Section 7 of the State Library Act ~~and one copy with the~~
21 ~~Citizens-Assembly/Council-on--Public--Aid--or--its--successor~~
22 shall be deemed sufficient to comply with this Section.

23 (Source: P.A. 91-344, eff. 1-1-00; 91-462, eff. 8-6-99;
24 91-666, eff. 12-22-99; 92-16, eff. 6-28-01; 92-651, eff.
25 7-11-02; 92-789, eff. 8-6-02.)

26 (305 ILCS 5/5-5.5) (from Ch. 23, par. 5-5.5)

27 Sec. 5-5.5. Elements of Payment Rate.

28 (a) The Department of Public Aid shall develop a
29 prospective method for determining payment rates for skilled
30 nursing and intermediate care services in nursing facilities
31 composed of the following cost elements:

32 (1) Standard Services, with the cost of this
33 component being determined by taking into account the

1 actual costs to the facilities of these services subject
2 to cost ceilings to be defined in the Department's rules.

3 (2) Resident Services, with the cost of this
4 component being determined by taking into account the
5 actual costs, needs and utilization of these services, as
6 derived from an assessment of the resident needs in the
7 nursing facilities. The Department shall adopt rules
8 governing reimbursement for resident services as listed
9 in Section 5-1.1. Surveys or assessments of resident
10 needs under this Section shall include a review by the
11 facility of the results of such assessments and a
12 discussion of issues in dispute with authorized survey
13 staff, unless the facility elects not to participate in
14 such a review process. Surveys or assessments of
15 resident needs under this Section may be conducted
16 semi-annually and payment rates relating to resident
17 services may be changed on a semi-annual basis. The
18 Illinois Department shall initiate a project, either on a
19 pilot basis or Statewide, to reimburse the cost of
20 resident services based on a methodology which utilizes
21 an assessment of resident needs to determine the level of
22 reimbursement. This methodology shall be different from
23 the payment criteria for resident services utilized by
24 the Illinois Department on July 1, 1981. On March 1,
25 1982, and each year thereafter, until such time when the
26 Illinois Department adopts the methodology used in such
27 project for use statewide ~~or--the--Illinois--Department~~
28 ~~reports--to--the--Citizens-Assembly/Council-on-Public-Aid~~
29 ~~that-the-methodology-did-not-meet-the-Department's--goals~~
30 ~~and-objectives-and-therefore-is-ceasing-such-project,~~ the
31 Illinois Department shall report to the General Assembly
32 on the implementation and progress of such project. The
33 report shall include:

34 (A) A statement of the Illinois Department's

1 goals and objectives for such project;

2 (B) A description of such project, including
3 the number and type of nursing facilities involved
4 in the project;

5 (C) A description of the methodology used in
6 such project;

7 (D) A description of the Illinois Department's
8 application of the methodology;

9 (E) A statement on the methodology's effect on
10 the quality of care given to residents in the sample
11 nursing facilities; and

12 (F) A statement on the cost of the methodology
13 used in such project and a comparison of this cost
14 with the cost of the current payment criteria.

15 (3) Ancillary Services, with the payment rate being
16 developed for each individual type of service. Payment
17 shall be made only when authorized under procedures
18 developed by the Department of Public Aid.

19 (4) Nurse's Aide Training, with the cost of this
20 component being determined by taking into account the
21 actual cost to the facilities of such training.

22 (5) Real Estate Taxes, with the cost of this
23 component being determined by taking into account the
24 figures contained in the most currently available cost
25 reports (with no imposition of maximums) updated to the
26 midpoint of the current rate year for long term care
27 services rendered between July 1, 1984 and June 30, 1985,
28 and with the cost of this component being determined by
29 taking into account the actual 1983 taxes for which the
30 nursing homes were assessed (with no imposition of
31 maximums) updated to the midpoint of the current rate
32 year for long term care services rendered between July 1,
33 1985 and June 30, 1986.

34 (b) In developing a prospective method for determining

1 payment rates for skilled nursing and intermediate care
2 services in nursing facilities, the Department of Public Aid
3 shall consider the following cost elements:

4 (1) Reasonable capital cost determined by utilizing
5 incurred interest rate and the current value of the
6 investment, including land, utilizing composite rates, or
7 by utilizing such other reasonable cost related methods
8 determined by the Department. However, beginning with the
9 rate reimbursement period effective July 1, 1987, the
10 Department shall be prohibited from establishing,
11 including, and implementing any depreciation factor in
12 calculating the capital cost element.

13 (2) Profit, with the actual amount being produced
14 and accruing to the providers in the form of a return on
15 their total investment, on the basis of their ability to
16 economically and efficiently deliver a type of service.
17 The method of payment may assure the opportunity for a
18 profit, but shall not guarantee or establish a specific
19 amount as a cost.

20 (c) The Illinois Department may implement the amendatory
21 changes to this Section made by this amendatory Act of 1991
22 through the use of emergency rules in accordance with the
23 provisions of Section 5.02 of the Illinois Administrative
24 Procedure Act. For purposes of the Illinois Administrative
25 Procedure Act, the adoption of rules to implement the
26 amendatory changes to this Section made by this amendatory
27 Act of 1991 shall be deemed an emergency and necessary for
28 the public interest, safety and welfare.

29 (d) No later than January 1, 2001, the Department of
30 Public Aid shall file with the Joint Committee on
31 Administrative Rules, pursuant to the Illinois Administrative
32 Procedure Act, a proposed rule, or a proposed amendment to an
33 existing rule, regarding payment for appropriate services,
34 including assessment, care planning, discharge planning, and

1 treatment provided by nursing facilities to residents who
2 have a serious mental illness.

3 (Source: P.A. 91-799, eff. 6-13-00.)

4 (305 ILCS 5/5-15) (from Ch. 23, par. 5-15)

5 Sec. 5-15. (a) The Illinois Department is authorized to
6 contract with community based organizations serving low
7 income communities for a three year period to demonstrate how
8 and the extent to which preventive health programs can
9 decrease utilization of medical care services and/or improve
10 health status.

11 (b) As used in this Section (1) a community based
12 organization is an organization established as a
13 not-for-profit corporation under laws of the State of
14 Illinois which serves a defined geographic community and is
15 governed by members of that community; and (2) a preventive
16 health program is any program, service or intervention the
17 purpose of which is to identify, resolve, or ameliorate
18 problems which contribute to the utilization of medical
19 services.

20 (c) The Illinois Department is authorized, for
21 evaluation purposes, to release names of recipients and other
22 pertinent identification and medical utilization information
23 to the community organizations under contract.

24 (d) Contractors shall maintain strict confidentiality of
25 information released by the Illinois Department by following
26 guidelines established by the Illinois Department, which
27 shall require that recipients sign a release for any further
28 use or disclosure of such information.

29 ~~(e) --The Illinois Department shall report to the Citizens
30 Assembly/Council --on-- Public --Aid-- annually-- on the costs and
31 benefits of preventive health care projects.~~

32 (Source: P.A. 86-651.)

1 (305 ILCS 5/9-6.1) (from Ch. 23, par. 9-6.1)

2 Sec. 9-6.1. Housing Education Program. The Illinois
3 Department, ~~upon consultation with and advice of the Citizens~~
4 ~~Assembly/Council on Public Aid~~, shall establish, either
5 directly or by contract, a pilot project for a housing
6 education program that will provide persons receiving aid
7 under Articles III, IV, V, and VI with instructions in the
8 care and maintenance of dwelling units, in the essentials of
9 adequate housekeeping, and the problems of urban living. If
10 in accord with Federal law and regulations governing grants
11 to this State for public aid purposes, the Department may
12 require recipients to attend a housing education program.
13 Non-recipients to whom services have been extended under the
14 provisions of Section 9-8 may also attend and participate in
15 a housing education program established hereunder.

16 (Source: P.A. 92-111, eff. 1-1-02.)

17 (305 ILCS 5/9-8) (from Ch. 23, par. 9-8)

18 Sec. 9-8. Extension of Coverage.) If appropriate and
19 sufficient facilities are not available through other
20 agencies, ~~and upon consultation with and advice of the~~
21 ~~Citizens Assembly/Council on Public Aid~~, the Illinois
22 Department may extend those services provided in this Article
23 which relate to work adjustment, education, training, and
24 counseling and guidance on problems of child care, family
25 relationships, home and money management, transportation, and
26 health, to one or both of the following:

27 (1) persons and families who have been recipients of aid
28 within 1 year preceding their request for the services, and
29 who are likely to become recipients of aid again unless
30 needed services are provided;

31 (2) other persons and families who request the services
32 and whose economic, personal or social situation is such as
33 to make it likely that without counseling, training or other

1 services financial aid could reasonably be expected to be
2 required within 6 months.

3 The services may be continued for such time as may be
4 necessary to overcome the conditions which may result in
5 dependency upon financial aid but each case shall be reviewed
6 at least quarterly to assure that the services are not
7 continued beyond a reasonable period of time.

8 Any extension of services under the foregoing provisions
9 shall be limited to a pilot county or counties, or other test
10 area, until the cost and effectiveness of the services
11 provided are determined to be in the public interest. The
12 ~~initiation-in-any-county-or-the-extension-in-any-county,--of~~
13 ~~the-services-specified-in-the-first-paragraph-of-this-Section~~
14 ~~shall--require--prior--consultation--with--and--advice-of-the~~
15 ~~Citizens-Assembly/Council-on-Public-Aid.~~

16 ~~Upon--consultation--with--and--advice--of--the---Citizens~~
17 ~~Assembly/Council--on--Public-Aid,~~ The Illinois Department may
18 also extend the educational and vocational training programs
19 provided under Section 9-5 or Section 9-7 to persons whose
20 income does not exceed the standard established to determine
21 eligibility for aid as a medically indigent person under
22 Article V, subject to the minimum quarterly review
23 requirement established in this Section for persons
24 designated in subparagraphs (1) and (2).

25 (Source: P.A. 86-651.)

26 (305 ILCS 5/11-5) (from Ch. 23, par. 11-5)

27 Sec. 11-5. Investigation of applications. The County
28 Department or local governmental unit shall promptly, upon
29 receipt of an application, make the necessary investigation,
30 as prescribed by rule of the Illinois Department, for
31 determining the eligibility of the applicant for aid.

32 A report of every investigation shall be made in writing
33 and become a part of the record in each case.

1 The Illinois Department, ~~upon consultation with and~~
2 ~~advice of the Citizens Assembly/Council on Public Aid,~~ may by
3 rule prescribe the circumstances under which information
4 furnished by applicants in respect to their eligibility may
5 be presumed prima facie correct, subject to all civil and
6 criminal penalties and recoveries provided in this Code if
7 the additional investigation establishes that the applicant
8 made false statements or was otherwise ineligible for aid.
9 (Source: P.A. 86-651.)

10 (305 ILCS 5/12-4.30) (from Ch. 23, par. 12-4.30)
11 Sec. 12-4.30. Demonstration programs. Establish
12 demonstration programs, authorized by federal law and
13 pursuant to State regulations. Such demonstration programs
14 ~~shall be subject to the prior review of the Citizens~~
15 ~~Assembly/Citizens Council on Public Aid and~~ may include, but
16 shall not be limited to: cashing out welfare benefits such
17 as, but not limited to, food stamps, energy assistance
18 payments and medical benefits; providing medical benefits
19 through the purchase of health insurance; and capping grant
20 amounts at certain levels regardless of the number of persons
21 in the case. Such demonstration programs may be limited to
22 particular geographic areas.
23 (Source: P.A. 85-1209.)

24 (305 ILCS 5/12-5) (from Ch. 23, par. 12-5)
25 Sec. 12-5. Appropriations; uses; federal grants; report
26 to General Assembly. From the sums appropriated by the
27 General Assembly, the Illinois Department shall order for
28 payment by warrant from the State Treasury grants for public
29 aid under Articles III, IV, and V, including grants for
30 funeral and burial expenses, and all costs of administration
31 of the Illinois Department and the County Departments
32 relating thereto. Moneys appropriated to the Illinois

1 Department for public aid under Article VI may be used, with
2 the consent of the Governor, to co-operate with federal,
3 State, and local agencies in the development of work projects
4 designed to provide suitable employment for persons receiving
5 public aid under Article VI. The Illinois Department, with
6 the consent of the Governor, may be the agent of the State
7 for the receipt and disbursement of federal funds or
8 commodities for public aid purposes under Article VI and for
9 related purposes in which the co-operation of the Illinois
10 Department is sought by the federal government, and, in
11 connection therewith, may make necessary expenditures from
12 moneys appropriated for public aid under any Article of this
13 Code and for administration. The Illinois Department, with
14 the consent of the Governor, may be the agent of the State
15 for the receipt and disbursement of federal funds pursuant to
16 the Immigration Reform and Control Act of 1986 and may make
17 necessary expenditures from monies appropriated to it for
18 operations, administration, and grants, including payment to
19 the Health Insurance Reserve Fund for group insurance costs
20 at the rate certified by the Department of Central Management
21 Services. All amounts received by the Illinois Department
22 pursuant to the Immigration Reform and Control Act of 1986
23 shall be deposited in the Immigration Reform and Control
24 Fund. All amounts received into the Immigration Reform and
25 Control Fund as reimbursement for expenditures from the
26 General Revenue Fund shall be transferred to the General
27 Revenue Fund.

28 All grants received by the Illinois Department for
29 programs funded by the Federal Social Services Block Grant
30 shall be deposited in the Social Services Block Grant Fund.
31 All funds received into the Social Services Block Grant Fund
32 as reimbursement for expenditures from the General Revenue
33 Fund shall be transferred to the General Revenue Fund. All
34 funds received into the Social Services Block Grant fund for

1 reimbursement for expenditure out of the Local Initiative
2 Fund shall be transferred into the Local Initiative Fund.
3 Any other federal funds received into the Social Services
4 Block Grant Fund shall be transferred to the Special Purposes
5 Trust Fund. All federal funds received by the Illinois
6 Department as reimbursement for Employment and Training
7 Programs for expenditures made by the Illinois Department
8 from grants, gifts, or legacies as provided in Section
9 12-4.18 or made by an entity other than the Illinois
10 Department shall be deposited into the Employment and
11 Training Fund, except that federal funds received as
12 reimbursement as a result of the appropriation made for the
13 costs of providing adult education to public assistance
14 recipients under the "Adult Education, Public Assistance
15 Fund" shall be deposited into the General Revenue Fund;
16 provided, however, that all funds, except those that are
17 specified in an interagency agreement between the Illinois
18 Community College Board and the Illinois Department, that are
19 received by the Illinois Department as reimbursement under
20 Title IV-A of the Social Security Act for expenditures that
21 are made by the Illinois Community College Board or any
22 public community college of this State shall be credited to a
23 special account that the State Treasurer shall establish and
24 maintain within the Employment and Training Fund for the
25 purpose of segregating the reimbursements received for
26 expenditures made by those entities. As reimbursements are
27 deposited into the Employment and Training Fund, the Illinois
28 Department shall certify to the State Comptroller and State
29 Treasurer the amount that is to be credited to the special
30 account established within that Fund as a reimbursement for
31 expenditures under Title IV-A of the Social Security Act made
32 by the Illinois Community College Board or any of the public
33 community colleges. All amounts credited to the special
34 account established and maintained within the Employment and

1 Training Fund as provided in this Section shall be held for
2 transfer to the TANF Opportunities Fund as provided in
3 subsection (d) of Section 12-10.3, and shall not be
4 transferred to any other fund or used for any other purpose.

5 Any or all federal funds received as reimbursement for
6 food and shelter assistance under the Emergency Food and
7 Shelter Program authorized by Section 12-4.5 may be
8 deposited, with the consent of the Governor, into the
9 Homelessness Prevention Fund.

10 Eighty percent of the federal financial participation
11 funds received by the Illinois Department under the Title
12 IV-A Emergency Assistance program as reimbursement for
13 expenditures made from the Illinois Department of Children
14 and Family Services appropriations for the costs of providing
15 services in behalf of Department of Children and Family
16 Services clients shall be deposited into the DCFS Children's
17 Services Fund.

18 All federal funds, except those covered by the foregoing
19 3 paragraphs, received as reimbursement for expenditures from
20 the General Revenue Fund shall be deposited in the General
21 Revenue Fund for administrative and distributive expenditures
22 properly chargeable by federal law or regulation to aid
23 programs established under Articles III through XII and
24 Titles IV, XVI, XIX and XX of the Federal Social Security
25 Act. Any other federal funds received by the Illinois
26 Department under Sections 12-4.6, 12-4.18 and 12-4.19 that
27 are required by Section 12-10 of this Code to be paid into
28 the Special Purposes Trust Fund shall be deposited into the
29 Special Purposes Trust Fund. Any other federal funds
30 received by the Illinois Department pursuant to the Child
31 Support Enforcement Program established by Title IV-D of the
32 Social Security Act shall be deposited in the Child Support
33 Enforcement Trust Fund as required under Section 12-10.2 of
34 this Code. Any other federal funds received by the Illinois

1 Department for medical assistance program expenditures made
2 under Title XIX of the Social Security Act and Article V of
3 this Code that are required by Section 5-4.21 of this Code to
4 be paid into the Medicaid Developmentally Disabled Provider
5 Participation Fee Trust Fund shall be deposited into the
6 Medicaid Developmentally Disabled Provider Participation Fee
7 Trust Fund. Any other federal funds received by the Illinois
8 Department for medical assistance program expenditures made
9 under Title XIX of the Social Security Act and Article V of
10 this Code that are required by Section 5-4.31 of this Code to
11 be paid into the Medicaid Long Term Care Provider
12 Participation Fee Trust Fund shall be deposited into the
13 Medicaid Long Term Care Provider Participation Fee Trust
14 Fund. Any other federal funds received by the Illinois
15 Department for hospital inpatient, hospital ambulatory care,
16 and disproportionate share hospital expenditures made under
17 Title XIX of the Social Security Act and Article V of this
18 Code that are required by Section 14-2 of this Code to be
19 paid into the Hospital Services Trust Fund shall be deposited
20 into the Hospital Services Trust Fund. Any other federal
21 funds received by the Illinois Department for expenditures
22 made under Title XIX of the Social Security Act and Articles
23 V and VI of this Code that are required by Section 15-2 of
24 this Code to be paid into the County Provider Trust Fund
25 shall be deposited into the County Provider Trust Fund. Any
26 other federal funds received by the Illinois Department for
27 hospital inpatient, hospital ambulatory care, and
28 disproportionate share hospital expenditures made under Title
29 XIX of the Social Security Act and Article V of this Code
30 that are required by Section 5A-8 of this Code to be paid
31 into the Hospital Provider Fund shall be deposited into the
32 Hospital Provider Fund. Any other federal funds received by
33 the Illinois Department for medical assistance program
34 expenditures made under Title XIX of the Social Security Act

1 and Article V of this Code that are required by Section 5B-8
2 of this Code to be paid into the Long-Term Care Provider Fund
3 shall be deposited into the Long-Term Care Provider Fund.
4 Any other federal funds received by the Illinois Department
5 for medical assistance program expenditures made under Title
6 XIX of the Social Security Act and Article V of this Code
7 that are required by Section 5C-7 of this Code to be paid
8 into the Developmentally Disabled Care Provider Fund shall be
9 deposited into the Developmentally Disabled Care Provider
10 Fund. Any other federal funds received by the Illinois
11 Department for trauma center adjustment payments that are
12 required by Section 5-5.03 of this Code and made under Title
13 XIX of the Social Security Act and Article V of this Code
14 shall be deposited into the Trauma Center Fund. Any other
15 federal funds received by the Illinois Department as
16 reimbursement for expenses for early intervention services
17 paid from the Early Intervention Services Revolving Fund
18 shall be deposited into that Fund.

19 The Illinois Department ~~shall consult with the Citizens~~
20 ~~Assembly/Council on Public Aid in respect to the expenditure~~
21 ~~of federal funds from the Special Purposes Trust Fund under~~
22 ~~Section 12-10 and the Local Initiative Fund under Section~~
23 ~~12-10.1. It shall report to the General Assembly at the end~~
24 of each fiscal quarter the amount of all funds received and
25 paid into the Social Service Block Grant Fund and the Local
26 Initiative Fund and the expenditures and transfers of such
27 funds for services, programs and other purposes authorized by
28 law. Such report shall be filed with the Speaker, Minority
29 Leader and Clerk of the House, with the President, Minority
30 Leader and Secretary of the Senate, with the Chairmen of the
31 House and Senate Appropriations Committees, the House Human
32 Resources Committee and the Senate Public Health, Welfare and
33 Corrections Committee, or the successor standing Committees
34 of each as provided by the rules of the House and Senate,

1 respectively, with the Legislative Research Unit and with the
 2 State Government Report Distribution Center for the General
 3 Assembly as is required under paragraph (t) of Section 7 of
 4 the State Library Act and ~~one copy with the Citizens~~
 5 ~~Assembly/Council on Public Aid or its successor~~ shall be
 6 deemed sufficient to comply with this Section.

7 (Source: P.A. 92-111, eff. 1-1-02.)

8 (305 ILCS 5/12-8) (from Ch. 23, par. 12-8)

9 Sec. 12-8. Public Assistance Emergency Revolving Fund -
 10 Uses. The Public Assistance Emergency Revolving Fund,
 11 established by Act approved July 8, 1955 shall be held by the
 12 Illinois Department and shall be used for the following
 13 purposes:

14 1. To provide immediate financial aid to applicants
 15 in acute need who have been determined eligible for aid
 16 under Articles III, IV, or V.

17 2. To provide emergency aid to recipients under
 18 said Articles who have failed to receive their grants
 19 because of mail box or other thefts, or who are victims
 20 of a burnout, eviction, or other circumstances causing
 21 privation, in which cases the delays incident to the
 22 issuance of grants from appropriations would cause
 23 hardship and suffering.

24 3. To provide emergency aid for transportation,
 25 meals and lodging to applicants who are referred to
 26 cities other than where they reside for physical
 27 examinations to establish blindness or disability, or to
 28 determine the incapacity of the parent of a dependent
 29 child.

30 4. To provide emergency transportation expense
 31 allowances to recipients engaged in vocational training
 32 and rehabilitation projects.

33 5. To assist public aid applicants in obtaining

1 copies of birth certificates, death certificates,
2 marriage licenses or other similar legal documents which
3 may facilitate the verification of eligibility for public
4 aid under this Code.

5 6. To provide immediate payments to current or
6 former recipients of child support enforcement services,
7 or refunds to responsible relatives, for child support
8 made to the Illinois Department under Title IV-D of the
9 Social Security Act when such recipients of services or
10 responsible relatives are legally entitled to all or part
11 of such child support payments under applicable State or
12 federal law.

13 7. To provide payments to individuals or providers
14 of transportation to and from medical care for the
15 benefit of recipients under Articles III, IV, V, and VI.

16 Disbursements from the Public Assistance Emergency
17 Revolving Fund shall be made by the Illinois Department.

18 Expenditures from the Public Assistance Emergency
19 Revolving Fund shall be for purposes which are properly
20 chargeable to appropriations made to the Illinois Department,
21 or, in the case of payments under subparagraph 6, to the
22 Child Support Enforcement Trust Fund, except that no
23 expenditure shall be made for purposes which are properly
24 chargeable to appropriations for the following objects:
25 personal services; extra help; state contributions to
26 retirement system; state contributions to Social Security;
27 state contributions for employee group insurance; contractual
28 services; travel; commodities; printing; equipment;
29 electronic data processing; operation of auto equipment;
30 telecommunications services; library books; and refunds. The
31 Illinois Department shall reimburse the Public Assistance
32 Emergency Revolving Fund by warrants drawn by the State
33 Comptroller on the appropriation or appropriations which are
34 so chargeable, or, in the case of payments under subparagraph

1 6, by warrants drawn on the Child Support Enforcement Trust
2 Fund, payable to the Revolving Fund.

3 ~~The--Illinois--Department--shall--consult,--in--writing,--with~~
4 ~~the--Citizens--Assembly/Council--on--Public--Aid--with--respect--to~~
5 ~~the--investment--of--funds--from--the--Public--Assistance--Emergency~~
6 ~~Revolving--Fund--outside--the--State--Treasury--in--certificates--of~~
7 ~~deposit--or--other--interest--bearing--accounts.~~

8 (Source: P.A. 92-111, eff. 1-1-02; 92-590, eff. 7-1-02.)

9 Section 115. The Supreme Court Act is amended by
10 changing Section 17 as follows:

11 (705 ILCS 5/17) (from Ch. 37, par. 22)

12 Sec. 17. The judges of the Supreme Court shall appoint a
13 librarian for the Supreme Court Library, located at the
14 Supreme Court Building State--Capitol, and prescribe his
15 duties and fix his compensation to be paid as other expenses
16 of the Supreme Court are paid. Such librarian, before
17 entering upon the duties of his office, shall give bond
18 payable to the People of the State of Illinois in the penal
19 sum of \$5,000 with security to be approved by 2 judges of
20 said court conditioned for the due preservation of the books
21 belonging to the library, in his charge, and for the faithful
22 performance of his duties as such librarian.

23 (Source: Laws 1965, p. 766.)

24 Section 999. Effective date. This Act takes effect on
25 February 1, 2004.